Bombay Gazette.

VOLUME XXXIX.] WEDNESDAY, OCTOBER 15TH 1828. [NUMBER 2002.

NOTICE IS HEREBY GIVEN.

THAT the QUARTER SESSIONS which were opened this 14th day of October 1828 have been adjourned in Consequence of the lamented death of the Hon'ble SIR CHARLES HARCOURT CHAMBERS late acting Chief Justice until Monday next the 20th Instant when the GentlemenSummoned on the GRAND and PETIT JURIES are particularly requested to be in attendance at the Court House at 11 o'Clock in the forenoon of that day.

And I hereby require and enjoin all persons bound to prosecute and give evidence at the above Sessions, or in any way concerned therein, to attend at the time, and place abovementioned and not to depart without leave of the Court.

F. LEGGETT,
DEPUTY SHERIFF.

BOMBOY
SHERIFF OFFICE
14th *October* 1828.

I. C. GAMA.

BEGS most respectfully to inform his friends, and Customers, that he has received per *Royal George* an extensive Investment of best Drugs, Medicines, Chemical Compositions, Instruments, Patent Medicines, and Perfumery which he has opened for sale at his Dispensary No. 1. Military Square viz.

Best Sulphate Quinine, Compound Tincture Quinine, Soda Powder, Seidlitz Salts in large and small stoppered Bottles, Effervescing Lemonade Powder Ginger Beer Powders, Fine Cold Drawn Castor Oil, Purified Epsom Salts, Cheltenham Salts, Rochelle and other Salts, Salt of Lemon, Ess. Lemon, Citric Asid, Tartaric Acid, Acid of Sugar, Pyroligneous and other Acids, Manna, Cream Tartar, Magnesia, Calcined Magnesia, Best Turkey Rhubard, Peruvian Bark, Jalap, Ipecacuanha, Rectified Ether, Spt Lavender, Laudanum, Sweet Spt. Nitre, Spirit Hartshorn, Sal Volatile, Hoffman's Anodyne Spirit, Brandy Bitters, Huxam's Tincture Bark, Ess Jamaica Ginger Friar's Balsam, Ess Peppermint, Peppermint, Lozenges, Ginger Lozenges, Paregoric Lozenges, Bath Lozenges, Lemon Lozenges, Absordent Lozenges, Candied Horehound, Barley Sugar and Sugar Plums. English Treacle, Camomile Flowers, Lavender and Rosemary Flowers, Carraway Seed, Orris Root, Bermuda Arrow Root, Tapioca and Groats, Preserved Tamarinds, Refined Liquorice, Conserve of Roses, Raspberry Vinegar, Smelling Salts, Aromatic Salts of Vinegar, Starch, Large and Small Sponge, Castile and Soft Soap, Barbadoes Aloes, Balsam Capivi, Cantharides, Flower and Milk of Sulphur, Spirit and Venice Turpentine, Cold Drawn Linseed Oil, Sallad Oil, Rectified Alcohol, Cordial Peppermint and Aniseed, Opodeldoc, Orchilla Dye, Scamony Russian Cartoreum, Oxymuriate Potash, Fulminating Powder, Emery, Spermaceti, Virgin Wax, Phosphorus Boxes & Matches, Horse Scales and Weights, Horse Syringes, Patent & other Balling Irons, Drawing Knives, Drenching Horns, Sevigni's Fleams, Scaling and Cleaning Teeth Instruments, small Scales and Weights, Graduated Measures, Mortars and Pestles, Nipple Shells, Shields, and Pipes, Feeding Bottles for Infants, Syringes of all sorts and for all purposes, Bed Pans, Lawn Sieves, Bolus Knives and Spatula, Galypots, Mahogany Injection Boxes for Infants, Weiss' Self Injecting Machines, Patent Stomach Syringes, Trocars and Scalpels Cases, Seton Needles, Weiss' Surgeons Instruments, Cline's complete Set Splints, Elastic Common Bougees, Solomon's Trusses. Patent and other Riding Belts, Eye Glasses, Glass Funnels, Lint, and Tow, spare Bottles for Medecine Chests, Stoppered and common Phials, Chemical Test Boxes, Abcess Lancets &c. &c. &c.

I. C. GAMA.

HAS just received, a batch of fresh SODA and MAGNESIA WATER, in very good order.

PERFUMERY.

AND GENUINE PATENT MEDICINES.

Lavender Water in stoppered and other Bottles from Smith and Nephew.
Essences—Rose, Marchalle, Bergamot, Jassemine, Huile Antique &c. from Ditto.
Tooth and Nail Brushes from Do.
Smelling Salts and Eau de Luce, from Do.
Violette and other Powders, from Do.
Naples Soap and Cold Cream from Do.
Ruspini's Tooth Powder and Tincture.
Spence's Tooth Powder.
Charcoal Tooth Powder.
Godfrey's Smelling Salts.
Aromatic Vinegar and Salt of Vinegar.
Milk of Roses, from Smith and Nephew,
Arquebuzade, from Do.
Dalby's Carminative.
Johnson's Soothing Syrup.
Whitehead's Ess. Mustard.
Henry's Calcined Magnesia.
Vincent's Gauland's Lotion.
Atkinson's Dye.
Rowland's Ess. Tyre.
Hendrie's Pomade Divine.
Rowland's Macassar Oil and Kalydor.
Prince's Russia Oil and Cherry Lotion.
Clarke's Permanent Ink.
Burchell's Anodyne Necklaces.
Haarlem Drops.
Dixon's and Anderson's Pills.
Hunt's and Dick's Bengal Antibilious Pills.
Widow Welsh's and Hooper's Female Pills.
Perry's Essence for Tooth Ache.
Embossed and Plain Court Plaister and Gold Beater's Skin.
Vegetable Fluid for the hair,
Velnoe's Vegetable Syrup.
Dr. James's Fever Powder.
Spilsbury's Drops.
Walsh's Antipertupis.
Savory & Moore's Cheltenham Salts.
Vancouvers Cement. &c. &c. &c.

REAL CHELTENHAM SALTS

THESE Salts, the only genuine production of Mr. Thompson's Montpellier Spas at Cheltenham, and which according to the Analysis of Sir Humphrey Davy, and Messrs. Braude and Parke, contain all the virtues of the Spa Waters, are to be had at MR. DE GAMA'S, to whom they are consigned direct from Cheltenham.

Bombay, 15*th October* 1828.

Advertisement.

FOR SALE a neat BUGGY AND HARNESS (nearly new) with a Capital GREY ARAB rising 6, safe and quiet in Harness. Price 1200 Rupees.—For particulars apply to the PRINTER of the Bombay Gazette.

(c) *Bombay*, 15*th October* 1828.

TO BE SOLD OR LET

THE Elegant and modern MANSION on Colabah, commonly called COWPER'S COTTAGE and lately occupied by DAVID SETON Esq.—It is well worthy the consideration of any family who is desirous of obtaining a commodious and airy habitation.

For particulars apply at the Office of Messrs. LECKIE AND CO.

(c) *Bombay*, 15*th October* 1828.

Higgs & Briggs

WILL SELL BY AUCTION,

To-morrow the 16th instant

TWO Double Barrelled Detonating Fowling Pieces in Mahogany Cases, Piece Goods, Glass Ware, Day and Martin's Blacking, and many other articles.

Meadows Street, 15*th October* 1828.

Higgs and Briggs.

WILL SELL
BY AUCTION.

To Morrow the 16th Instant

OVAL and Dining Tables, Chairs, Couches, Teapoys, Two Square, Pianofortes, Bagatelle board. sugar Jars, Tea Caddies Cots, Wardrobes, Washing and writing Tables, Dispense Cupboards, Plate and plated ware Glass and Earthern ware, Carpet, Sextant, Vase Lamps, Cooking utensils and also a small Collection of Books.

AT 1 O'CLOCK,
A CAPITAL,
GREY ARAB
Saddle Horse.
Six years old height 14-3.
AND A GREY ARAB.
Buggy or Carriage.
HORSE
6 years old height 14-2.

Meadows Street, 16*th October* 1828.

Higgs and Briggs

WILL SELL
BY AUCTION
On FRIDAY next the 17th Inst.
AND FOLLOWING DAY
THE HOUSEHOLD FURNITURE
OF
COMMODORE JEAKES,
AT HIS RESIDENCE
NEAR THE MARINE YARD
MAZAGON,

COMPRISING, Plate and Plated Ware Glass and Earthen Ware, Books, Pictures, Chairs, Couches, Tables, Lamps, Bedsteads, Chandeliers &c. &c.

AT one o'clock.
ON THE FIRST DAY'S SALE,
A NEAT
SHIGRAMPOE,
PAIR OF CAPITAL
CARRIAGE HORSES.
AND HARNESS,

The Property will be on view three days prior to the Sale.

Meadows Street, 15*th October* 1828.

Higgs and Briggs

HAVE FOR SALE
ON COMMISSION
ELEGANT NEW
COTTAGE
PIANOFORTES,
PRICE Rs. 750;
SQUARE DITTO
WITH CIRCULAR ENDS,
PRICE Rs. 500
BY BUTCHER

THE ABOVE ARE LATELY IMPORTED,

Meadows Street, 15*th October*, 1828,

Higgs and Briggs

HAVE JUST RECEIVED
FOR SALE
ON COMMISSION
SUPERIOR
DOUBLE BARRELLED
FOWLING PIECES

WITH Detonating Locks fitted up in Mahogany Cases, made by Robert Gill, of Richmond in Yorkshire.
EACH RS. 300, 350, & 400.

Meadows Street 15*th October* 1828.

Higgs and Briggs

HAVE FOR SALE
ON COMMISSION
AN ELEGANT
AND HIGHLY FINISHED
PHAETON,
PAINTED GREEN PICKED OUT WITH BLACK, AND A SET OF NEW
DOUBLE HARNESS,
PRICE Rs. 1500.
ALSO,
A SECOND SIZED
BILLIARD TABLE

This is a very superior table, has been newly covered, and complete with Balls, Cues, &c.
PRICE Rs 550.

Meadows Street 15*th October* 1828

Higgs and Briggs

HAVE FOR SALE
ON COMMISSION
FINE
MANILLA CHEROOTS,
PRICE Rs, 15 PER 1000.

Meadows Street, 15*th October* 1828.

Higgs and Briggs

HAVE JUST RECEIVED
FOR SALE
ON COMMISSION,
A FINE TONED,
VIOLENCELLO.
with Case and Set of Spare strings,
PRICE Rs. 160.

Meadow Street, 15*th October* 1828.

Higgs and Briggs

HAVE FOR SALE
ON COMMISSION
A VERY HANDSOME
DARK GREY
ARAB HORSE.

SIX years old, very gentle, and has been Constantly ridden by a Lady, He is also perfectly steady with Troops, and his uncommon gentle, would be on acquitision to a timid rider, or for a Lady.

PRICE Rs. 650.

Meadows Street, 15*th October* 1828.

FOR SALE.

AT THE
GODOWNS
OF
Messrs. SHOTTON AND CO.

"RUINART'S" Superior Champagne, in Quarts and Pints, at Rs. 35 per Dozen.
"Ruinart's" St. George Burgundy at Rs. 45 per dozen.
"Cunliffe and Co's" Claret, at Rs. 24 per do.
"Cantenac" Claret, " 30 per do.

Bombay 15*th October* 1828.

BOMBAY REGISTER & DIRECTORY FOR 1829.

PRICE RUPEES FIVE.

THE Public are respectfully informed that on the 1st of January 1829, and on each succeeding year, will be issued from the GAZETTE PRESS, a work under the above denomination, and to which their attention is solicited. The Gentlemen who are compiling this work, *have been fortunate enough to obtain the permission of Government to be furnished with such Information from its Records, as may be necessary to insure the accuracy of the work*; and from other sources, hints for its improvement, which will be most faithfully attended to, and for which they feel extremely grateful.

The work will contain an accurate CALENDAR and ALMANAC, and complete Lists of all the Departments under this Presidency, with their disposition.

Bombay 15*th October*, 1828.

FOR SALE

AT THE GAZETTE OFFICE

A few Copies of the *Memoir* of the late SIR EDWARD WEST, *Chief Justice* of the Supreme Court of Judicature Bombay.

Gaz. Office, 15*th Oct*, 1828.

SAUL SOLOMON,

MERCHANT, COMMERCIAL AND SHIPPING AGENT AT THE ISLAND OF SAINT HELENA.

Marine Stores, Provisions, Live Stock and Supplies of every description, furnished with facility and on moderate terms.

NEGOCIATES GOOD BILLS.

N. B.—Apartments fitted up in a superior style for the reception of Passengers.

TERMS OF BOARDING HOUSE.—Ladies and Gentlemen accommodated at 25s. per day, including, Port, Sherry, Madeira and Beer, Children and Servants at 12s 6d.

Passengers desirous of remaining at St, Helena for any length of time, accommodated on reduced terms of 15s. each and servants 5s.

N. B.—Hot and Cold Baths, Carriages & Saddle Horses.

ST. HELENA.—It must be desirable for those Ladies and Gentlemen, returning to Europe, or about to pass a short time on that Island, for the benefit of their Health, or otherwise, to know, that there is a long established House, kept on a very different principle to those already advertised (indeed Joe Millar's boarding House is shut up) and one of, if not the best house in St. James's Valley formerly known as DR. DUNN'S, the corner of the Company's Gardens, where Mr. Eyre an old Officer of the Hon'ble Company's Naval Service, continues to receive upon his old plan of *Family Comfort*, those, who are pleased to favour him with their Company.

Mr. EYRE as an Agent, takes this opportunity, of further expressing his readiness to assist in procuring supplies for Shipping, disposing of Property and otherwise attending to the interests *of all*, who, may honor *him* with their confidence.

6th August 1828.

Wines for Sale

AT THE GODOWNS OF

MESSRS *RANKEN & SAUNDERS*,

LONDON Bottled Sherry from Maxwell and Keys, Butler and Son, Stephenson & Co.....	Rs.	24 *a* 26 per Doz.
Ditto Old Port Wine.....	,,	22 *a* 24
Ditto in pints Maxwell and Keys..	,,	15
London Particular Madeira 3 years in bottle.....	,,	26
Ditto.....	,,	24
Very fine old Teneriffe.....	,,	16
Sparkling White Champaigne....	,,	35 *a* 50
Frontignac.....	,,	20
Sercial in pints....	,,	18
Claret (Mazwell & Keys 1st Growth)	,,	40
Ditto from other houses.....	,,	25
Ditto 2d Growth from Harper and Bell.....	,,	25 *a* 30
Real Cognac Brandy; in Casks of 30 *a* 80 Gallons imported direct from France to order....	Rs.	3¼ per Gall.
Ditto in bottle.....	,,	12 per Dozen
Hollands in Cases each 7 Gallons.....	,,	30 per Case
Genuine Highland Whiskey.....	,,	30 per Dozen.

Bombay 15*th October* 1828

THIS DAY

Wednesday the 15th Oct.

FRITH Bomanjee & Co.

WILL SELL

BY PUBLIC AUCTION

A WELL selected invoice of Hard ware, comprising Tin and Copper Tea Kettles, Pudding pans, Sauce pans Pint and half pint Jugs, Dish covers, Boxes, &c. &c. &c.

Cotton Handkerchiefs, half Stockings, Glass Ware, an assortment of cutlery Turbans, Long cloths Cambrics, Madapollams, a few Articles of Furniture and a variety of other goods.

BY PUBLIC AUCTION THIS DAY

FRITH Bomanjee and Co.

WILL SELL

A quantity of Primrose, and Pink KID GLOVES *JUST IMPORTED*

TO BE SOLD,

BY PUBLIC AUCTION,

On MONDAY the 20th Oct. 1828,

BY

FRITH Bomanjee and Co.

THE HOUSEHOLD FURNITURE SILVER, PLATED AND GLASS WARE &c. &c.

OF THE LATE *GEORGE FORBES Esq.*

At his late Residence in the Fort.

AT ONE O'CLOCK WILL BE PUT UP A NEAT

CARRIAGE AND A HORSE.

THE PROPERTY WILL BE ON VIEW THREE DAYS PREVIOUS TO THE SALE, AND CATALOGUES PUBLISHED.

FRITH Bomanjee and Co.

WILL SELL

BY PUBLIC AUCTION

ON FRIDAY the 24th Oct. 1828.

ON THE PREMISES NEAR THE DOCK YARD,

THE MODERN HOUSEHOLD FURNITURE OF THE LATE *JOHN POLLEXFEN, Esq.*

COMPRISING, Couches, Tables, Chairs, Argaund Lamps, Carpets Wall Shades, Beaureas, Card Tables, Punkahs, a well selected Library of Books containing many new and valuable Works.

AMONGST WHICH

THE LATEST EDTION OF THE,

ENCYCLOPEDIA BRITTANICA HANDSOMELY BOUND IN RUSSIA GILT BACKS AND EDGES.

Also a splendid service of Plate, Desert, Tea, and Dinner service. Glass Ware, Wines, Beer, &c. &c.

AT ONE O'CLOCK WILL BE PUT UP.

A very neat Barouche, a handsome green Chariot, a pair of Carriage Horses, and a Saddle Horse, unless previously disposed of by private contract.

Catalogues will be speedily published, and the property be on view from the 20th instant.

FRITH Bomanjee and Co.

HAVE RECEIVED

FOR SALE ON COMMISSION,

A FEW COPIES OF

HAMILTON'S E. I. Gazetteer, 2 Vols. Edition 1828, Price 30 Rs.

Ainslie's Materia Indica 2 "..." 30 Rs.

PHÆTONS & STANHOPES,

FRITH Bomanjee and Co.

HAVE just received, a fresh importation of the above Vehicles.

ON COMMISSION,

Which are now on view at their Rooms,

ON MONDAY 3d of Nov. 1828. WILL BE SOLD BY PUBLIC AUCTION, BY

FRITH Bomanjee and Co.

AT HIS RESIDENCE ON COLABA,

THE MODERN HOUSEHOLD FURNITURE,

GLASS, SILVER AND PLATED WARE &c.

OF

CAPTAIN CHARLES KEYS,

COMPRISING Tables, Chairs, Couches, Lamps, Wall Shades, a Cabinet of Shells, Books, Pictures, Garden Seats, Chandeliers, Dinner and Tea services &c. &c.

Also, three iron Tanks of 3 ft. cube for containing Grain or Provisions.

Catalogues will soon be published, and the property on view the Saturday previous to the sale.

FRITH Bomanjee and Co.

HAVE RECEIVED FOR SALE ON COMMISSION, A FEW CASKS OF

SCOTCH ALE.

PRICE 60 RUPEES.

FOR SALE ON COMMISSION,

A SUPERIOR *RIFLE*

MADE TO ORDER BY *RIVIERE OF OXFORD STREET*, NEARLY NEW.

PRICE 530 RUPEES,

For particulars Apply to FRITH BOMANJEE AND CO.

FRITH Bomanjee and Co.

HAVE FOR SALE, ON COMMISSION A HANDSOME FINE TONED

PATENT HARP

BY ERART, with double action.

PRICE 420 Rs.

Advertisement.

LETTERS of Administration to the Estate of Mr. ROBERT LEY, deceased, having been granted by the Supreme Court at Madras to JAMES VAUGHAN Esquire and Mrs. SARAH LEY, the Widow, at Callicut, all persons having claims on the Estate are requested to apply to Mrs. SARAH LEY, at Callicut, on or before the 30th day of April 1829, the period at which all accounts will be closed, and no claims attended to after that date.

(Signed) SARAH LEY,
(Signed) J. VAUGHAN.

CALLICUT, SEPT. 23D 1828.

For Passage to London

THE FAST SAILING SHIP

CHARLES KERR A. I.

BURTHEN 550 TONS,

John Brodie,

(LATE OF THE EAST INNINGOMP'S SERVICE)

COMMANDER,

WILL sail for LONDON on 1st December, has very elegant and superior accomodation for Passengers, & carries an experienced Surgeon.

Apply to Capt. BRODIE or to Messrs. ADAM, SKINNER & CO.

Bombay 15*th October* 1828.

For Freight to London.

THE NEW FAST SAILING SHIP

JAMES AND THOMAS,

WM. ASBRIDGE,

COMMANDER,

Will sail for London direct early next month, Apply at the office of Messrs WILLIAM NICOL AND Co.

Bombay 15*th October* 1828

For Passage to London.

THE FINE NEW SHIP

CAPTAIN COOK,

OF 457 TONS PER REGISTER

CAPT. GEORGE WILLIS

THIS ship has been fitted up expressly for the accomodation of passengers, carries an experienced Surgion, and will sail for LONDON early in November. Apply to Captan WILLIS at the office of Messrs. FORBES AND CO. where plans of the Cabins may be procured.

Bombay, 15*th October* 1828.

For Freight or Passage,

TO LONDON

THE SHIP

SURRY,

OF 500 TONS

Capt. Charles Kemp,

TO SAIL ON THE 7TH NOVEMBER.

THIS Ship has good accommodations for Passengers and carries a Surgeon.

For Freight or Passage Apply to Capt. KEMP or to Messrs. RANKEN AND SAUNDERS.

Bombay, 15*th October* 1828.

For Passage Only TO *LONDON.*

THE TEAK BUILT SHIP

CHATHAM.

OF 354 TONS

Will Sail on the 19th Inst, For plans of her accommodations Apply at the Office of Messrs. PATRICK STEWART AND CO.

Bombay, 15*th October* 1828.

FOR SALE

AT THE

GAZETTE OFFICE

THE UNDERMENTIONED PRINTED BLANK FORMS.

BILLS of Exchange, per sett		Rs.	2
Powers of Attorney, each		"	2
Interest Bonds,	do.	"	2
Respondentia Bonds	do.	"	1
Policies of Insurance	do.	"	1
Bills of Lading	per set	"	2
Price Currents	each	"	2

General Orders.

By the Hon'ble the Governor in Council

BOMBAY CASTLE, 2D OCTOBER 1828.

Nos 259 of 1828.—The following temporary Appointments are confirmed at the recommendation of His Excellency the Commander in Chief. Captain G. Penley, of the 16th Regiment N. I. to act as Assistant Quarter Master General, and to take charge of the Department of the Executive Engineer at Baroda, from the date of the departure of Captain Willoughby from the station, until further orders.

Lieutenant F. H. Brown, of the 23d Regiment, to act as Adjutant during the absence of Lieutenant French on sick certificate.

Bombay Castle, 4*th October* 1828.

No. 260 of 1828.—Hospital Steward G. Hopkins is allowed a furlough to Europe on sick certificate for a period of eighteen months.

No. 261 of 1828—Assistant Surgeon R. Davidson is allowed a furlough to Europe on sick Certificate, for three years from the date of his embarkation.

By Order of the Hon'ble the Governor in Council,

JOHN BAX,
Sec. to Govt.

MARINE APPOINTMENTS.

The Honorable the Governor in Council has been pleased to appoint Lieutenant Edward W. Harris to officiate as General Agent for Transports and to be Boat Master at the Presidency, during the absence of Captain Graham, on duty, in Malabar.

Lieutenant E. W. Harris to succeed Captain W. Graham, as Agent for procuring Timber from Malabar and Canara.

Lieutenant R. Cogan to succeed Lieutenant Harris as Assistant Superintendant.

Lieutenant R Moresby to succeed Lieutenant Cogan in the Survey of the Concan.

Published by Order of the Honorable the Governor in Council,

T. G. GARDINER.
Acting Sec. to Govt.

BOMBAY CASTLE, 9TH OCTOBER 1828.

Digitized with financial assistance from the Government of Maharashtra on 28 June, 2017

CIVIL APPOINTMENTS.

JUDICIAL DEPARTMENT.

6TH OCTOBER 1828.

John Romer Esq. Chief Judge of the Sudder Dewannee and Sudder Foujdary Adawlut, from the 1st of November next.

Edward Ironside Esq. Senior Puisne Judge of Do.
G. W. Anderson Esq. Puisne Judge of Do.
E. H. Baillie Esq. Puisne Judge of Do.
H. H. Glass Esq. Register of Do.
James Sutherland Esq. Chief Judge of the Courts of Appeal and Circuit at Surat.
James Taylor Esq. Second Judge of Do.
W. John Lumsden Esq. Third Judge of Do.
Alexander Bell Esq. officiating Judge and Criminal Judge of the Northern Conkan.
John Kentish Esq. to resume his situation of Judge and Criminal Judge of Surat.

9TH OCTOBER 1828.

Charles Sims Esq. Register to the Court of Appeal and Circuit of Surat, from the 1st proximo.

TERRITORIAL DEPARTMENT.

REVENUE.

6TH OCTOBER 1828.

Mr. Thomas Williamson, Collector and Magistrate of Ahmednuggur and Acting Collector and Magistrate of Broach from 1st of next month.

Mr. Richard Mills, Collector and Magistrate of Broach, and Acting Collector and Magistrate of Ahmednugger, Do. Do.

Mr. Edward B. Millis, Collector and Magistrate of Kaira, Do. Do.

Mr. John Pyne, Acting Collector and Magistrate of Poona. Do. Do.

9TH OCTOBER 1828.

Mr. G. M. Blair, First Assistant to the Collector and Magistrate of Poona at Sholapoor, Do. Do.

6TH OCTOBER 1828,

Mr. William C. Andrews, First Assistant to the Collector and Magistrate of Kaira, Do. Do.

Mr. R. G. Chambers, Second Assistant to the Collector and Magistrate of Surat and Acting First Assistant to Ditto, Do. Do.

Mr. Robert Collins Chambers, Acting Second Assistant to Ditto, Do. Do.

10TH OCTOBER 1828.

Mr. G. H. Pitt, Third Assistant to the Collector and Magistrate in Candeish, Do. Do.

POLITICAL DEPARTMENT,

6TH OCTOBER 1828.

Mr. James Sutherland, Agent to the Governor at Surat, from 1st next month.

9TH OCTOBER 1828.

Mr John W. Langford, First Assistant to the Political Agent in Kattywar, Do. Do.

Mr. James Erskine, First Assistant to the Resident at Baroda, Do. Do.

Mr. Arthur Malet Second Assistant to the Resident at Baroda, and Acting First Assistant to Ditto. Do, Do.

BOMBAY.

ARRIVALS AND DEPARTURES.

ARRIVALS.—Lieut. J. Jackson, 25th Regt.
Lieut. Geo. Wilson, 26th Regt.
Capt. Stockoe, Invalid Bn.
Lieut. H. Jacob, 19th Regt.
Ensign Wm. Morris, 9th Regt. N. I.
Lt. and Adjt. W. S. Jackson, 2d Extra Bn.
Asst. Surgn F. H. Graham, 4th Regt.
Lt. Lourie, 12th Regt.
Surgn D. Campbell, Queen's Royals.
Lieut. Daniell, Queen's Royals
Lt. Col. Maw, 1st Gr. Regt.
Capt. Billamore, Gr. Regt.
Sup. Surgeon V. Kemball.

DEPARTURES.—Capt. Ottley Asst. Qr. Mr. General.
Lieut. Wm. Rawlins, 14th Regt.
Lieut. Alex. Hand 2d Gr.
Capt. Edward Mason 21st Regt.
Capt. A. Adam Nizams Service.
Lt. and Adjt. John Pinchard Madrs H. A.
Major D. Wilson, 7th Regt N. I.
Ensign J. Anderson 19th Regt. N. I.

SHIPPING REPORTS.

BOMBAY.

ARRIVALS.

OCTOBER 8th.—Three Masted Portuguese Schooner Epefania, Joze de Souza Vicira Master, from Mosambique 31st July touched at Goa on the 24st Augt. and left 26th September.

9th. Ship Ulster (Free Trader) James Shannon, Master from Liverpool 27th May.

10th. The H. C. Sloop of War Antilope, Lieut J. B. Harrison Commander from the Persian Gulph 19th September.

13th. Ship Charles Kerr, (Free Trader) John Brodie Master from Gravesend and Plymouth.

Passengers per Ship Charles Kerr.—Mrs. Brodie, Mrs. Kemball, Miss Shaw, Miss Holmes, Miss J. Holmes, Miss Pollexfen, Miss Smith. James Henderson Esq. Civil Service, Dr. Kemball Bombay Army Captain Bellamore Bombay Army, T. A. Fielding Esq. Free Merchant, Master Kemball, Mr. Wm. Chs. Backer Company's Marine.

DEPARTURES.

Oct. 10th.—Brig Prem, Munjee Auber Nacqudah to Bhownagur.

12th. Ship Sovereign (Free Trader) S. Nesfield Master to Liverpool.

Do. The H. C. Surveying Ship Benares Lieut. G. B. Brucks, Com. to the Persian Gulph.

Do. H. C. Schooner Fly, Mahomet Khan Malim, to the Persian Gulp.

Passengers by Sovereign.—Capt. Thos. Gidley, Mr. John Pinchard Mr. Robert Campbell.

SHIPS LOADING.

ENGLISH.—Chatham for London; Crown for London; Surry, for London; James and Thomas for London; Pomona for Liverpool; Dorothy, for Liverpool

ARAB.—Wootmary, for Penang; Futtay-eslam, for Persia; Carry for Malabar; Futtayrahimany for Kamore.

LIST OF SHIPPING IN THE HARBOUR.

FREE TRADERS.—Chatham, Margaret Johnson, Surry, Pomona, Capt. Cook, Crown, James, and Thomas Dorothy, Royal George, Charles Kerr, Ulster.

COUNTRYSHIP.—Carron.

ARAB.—Wootmary, Futayeslam, Hashmy, Caderbun, and Futtayrahimany Portuguse Epiphania.

H. C. CRUIZERS.—Elphinstone, Euphrates, Discovery, and Antelope.

DOMESTIC OCCURRENCES.

BIRTHS.

At Poonah, on the 9th Instant, the Lady of Lieutenant Colonel Russell, of the Horse Artillery of a Daughter.

On the 7th October, the lady of James Fawcet Esq. of a daughter.

At Eden hall, Mazagon, on the 10th Instant, the Lady of M. De Vitre Esq. of a daughter.

On the 10th Inst. at Nimbolee near Bewndy the Lady of James Boyd Esq. A. S. Pioneer Batt of a Son.

On the 20th Sept. at Malligaum, the Lady of Lieut. Lucas, 1st Troop H. Brigade, of a daughter.

In the Fort, on the 27th ultimo, the Lady of J. Bromeld Esq. of the Civil Service, of a son.

MARRIAGES.

On Tuesday the 7th Inst, at St. Thomas's Church, by the Revd. Mr. Carr, W. Jeaffreson Esq. to Harriet, second daughter of P. Free Esq.

DEATHS.

We have the mournful duty to announce the death of the Hon'ble Sir CHARLES HARCOURT CHAMBERS, late Senior puisne Judge of the Supreme Court of this Presidency, which event took place on Monday morning the 13th Instant after an illness of only a few days. Sir Charles was in the prime of life, his 39th year.

On Monday, October 6th, departed this life, after a long and lingering illness, Ann, the beloved wife of Lieutenant Wm. Bowater, H. C. Marine, aged 27 years, deeply and deservedly lamented by all who knew her, a sincere friend, and affectionate wife, and an irreparable loss to her disconsolate husband.

THE GRAVE.

The shatter'd bark from adverse winds,
Rest in this peaceful haven finds,
And when the storms of life are past,
Hope drops her anchor here at last.

From this vain world, and all its cares,
Delusive joys, and fatal snares,
Ann's now set free;
And in the realms of endless love,
With saints, I trust, to dwell above
To all eternity.

To the Editor of the Bombay Gazette.

MR. EDITOR,

I was just jalousin to mysel as I cam birlin into the Toon the ither mornin on the shouthers o four guid sturdy black lads heeh! but its a sacreleges usin o anes fallaw mortals that; puir fallows the sound o their grunts under the weight o Saxteen staen for I'm better than that, will dwell lang in my memory, but as I was sayin as I was sallyin into the Toon the ither mornin for I had just landed the night afore in ane o your Clyde bits o Veshells, a gie guid ane she is, and weel ordered for the Master o her Jamie Splice though an auld farrent kind o chield is unco gleg at the uptak has a guid understandin, a sma gumshin o Politics an a weel ordered capacity can blaw awa at a cheroot we a face like a nor-wast moon, and can hum awa at the lee side o a cog o Toddy we ony ane that ever crossed the Tweed, honest man may he never want a cog to bum at nor a bit leaf to blaw. He's gar'd me mony a time gang dirling to my bed we my head sae fu o his uncas that I have mair than ance started frae my slumbers, we the vera words o admonishin in my mouth; o man to hear him lilt oot jennys Bawbee, or auld guid man yeer a drunken earle, would hae made ye wud, interlarded as they not unfrequently were we Alister Mac Alister your chanter sets us a astir then to your Bags and blaw wi bir we'l dance the hieland fling, the last words of which he used to accompany we a bit jink o his right leg that gar'd anes vera heart warm till the body, but Mr. Editor I ax yonr paadon Sir for thus trunlin awa frae the right side o my argument and to mak a lang story short Ise just begin at the entrance into the Toon frae that part o your Island ye ca Gergaum or queergaum Ill no be certain which, but I am certain sure it ended we a gam I could na help being astonished we the sight o thae things ye hae to ride in in this Heathenish land, God man but I thought they were coffins till I cam a wee closer and even then I was na vera sure for the bit body that was in the inside had mair the appearance o a dead thing than a livin ane and it was na till the black auld farrant lad that was yoket till the front o't gaed a bit smack wi his whip, that I could bring mysel to believe that it was na a ferlie frae anither warld what in the name o grace ca ye them for as I am no that weel acquant here aboot and being only a Sojourner in this land o iniquity I would fain ken the name that they gang by; and the purposes to which they are yokt whether for the dead or for the livin, a wheen o them in the high street o Edinbro or in the Saut Market o Glasgow, wi their history, capacity, and origin would Im thinkin be a guid specelation in thae dull times and would nae doubt pay at least twalve and sax pence to the Ton.

Your Obedient Servant,
A FREEND TO TRADE.

NOTICE.

THE European Inhabitants of Bombay are respectfully informed, that a Book will be sent round, in which it is requested they will insert their names and occupations, in the manner in which, they may wish them to appear in the BOMBAY REGISTER AND DIRECTORY for the ensuing year.

Gazette Office. 1st October 1828.

EXCHANGE &c.

On London, at 6 months sight 1 | 9
Bengal, at 30 days sight, 106½
Madras, at 30 days sight, 99*a* 100

BAZAR VALUE OF COMPANY'S PAPER.

Remittable notes 135 Bombay Rs. per 0 | 0 Sicca
Unremittable do. 106½ do. per 0 | 0 do.
Notes of the present 5 per Cent. Loan opened Bengal on the 18th August 1825, selling at 105½ B'by, per 0 | 0 Siccas.

PRICE OF BULLION.

Spanish Dollars 100 per 221 B'by Rs.
German Crowns 100 per 210½ Ditto.

FREIGHTS.

London....Per Ton } Nominal.
China.....Per Candy, }

THE GAZETTE.

BOMBAY.

WEDNESDAY, 15TH OCTOBER 1828.

By the arrival of the CHARLES KERR, we are put in possession of our files of English Papers up to the 5th of June from which we give extracts, but as our intelligence via, Madras, (given in our Extra of the 3 d Instant,) is of a more recent date, we have not much of importance to communicate.—The KERR left Gravesend the 2nd and Plymouth the 11th June.

The Passengers by this Ship are Mrs Brodie, Mrs. Kemble, Misses Shaw, Holmes, F. Holmes, Pollexfen, and Smith; Jas. Henderson, Esq, Civil Service, Dr. Kemble, Capt. Bellamore, Bombay Army, J. A. Fielding, Esq. Free Merchant, Mr. W. C. Backer, H. C's Marine, and Master Kemble

A Correspondent, adverting to the degree in which the public mind has been lately occupied in this Presidency by the question whether the Supreme Court of Judicature in India have the Powers of the Court of Kings Bench to issue Writs of *Habeas Corpus*, and other Writs, called by the Lawyers the Prerogative Writs, of the Crown directed to Natives not subject to the ordinary Jurisdiction of the Courts, as Inhabitants of Bombay, Calcutta, or Madras and to exercise over such Natives generally, the extraordinary Jurisdiction of the Court of Kings Bench, calls our attention to the Judgement of the Chief Justice, Sir Charles Grey at Calcutta, in delivering the opinion of the Court there, in the case of the King v W. Wright, H. Newnham and others, Which case will be found at length in our Columns o this day,

REGISTER OF THE PLUVIOMETER AT COLABA, IN SEPTEMBER 1828.

		RAIN. Inch.	Decls.
Sept.	1	....	74
	2	....	17
	3	....	55
	4	....	38
	5	1	90
	6	....	25
	7	....	18
	8	....	12
	9	2	76
	10	2	22
	11	....	75
	12	....	..
	13	....	..
	14	....	13
	15	1	28
	16	....	57
	17	....	33
	18	1	78
	19	....	27
	20	....	37
	21	...	32
	22	....	..
	23	....	18
	24	1	33
	25	....	59
	26	....	10
	27	....	...
	28	....	...
	29	....	46
	30	....	...
	31	....	...
Totol in September....		11 17	88

Supreme Court.

FRIDAY—10TH OCT.

PRESENT

THE HON'BLE MR. JUSTICE GRANT.

This was the day for the Return of the *Alias* Writ of *Habeas Corpus*, issued by the Supreme Court here, on the 29th *ultimo*, to Pandurang Ramchunder, of Poonah, directed to be returned before Mr. Justice GRANT in chambers. The Sittings in Equity having been adjourned till to-day, and Mr. Justice GRANT being in Court for the purpose of hearing motions in Equity and on the Ecclesiastical Side, took this motion also on the Bench. Mr. IRWIN moved for the return of the Writ of Habeas Corpus and put an affidavit of service or rather of attempt to serve it. The affidavit being read Mr. IRWIN said, he understood the Writ was not to be returned, and it not appearing that any person was instructed to produce such return Mr. IRWIN moved for a Writ of Attachment to issue against Pandurang Ramchunder for his contempt. But Mr. Justice GRANT said, he was sorry he could not give him this remedy, for that this was a Common Law Writ of Habeas Corpus, and he could not issue the process of the Court for contempt sitting in vacation in chambers, and all he could do for him was to issue a *pluries* writ, returnable *immediati* under a heavy penalty, which he should do; and if this Writ was not obeyed, Mr. IRWIN might move for an Attachment and to entreat the fine on the first day of term, when the attachment would issue of course. He should make the penalty ten thousand Rupees, which he supposed would be sufficient. He said it had been formerly argued by Mr IRWIN, that the Act 56 Geo. 3 c. 100, commonly called Serjeant Onslow's Act, extending the power of the Judges in vacation to deal with persons refusing obedience to Writs of Habeas Corpus in cases of commitment for other than criminal, or supposed criminal matter, having been passed long before the date of His Majesty's Letters Patent creating this Court, and these Letters Patent conferring on the Judges of the Supreme Court of Bombay all such jurisdiction and authority as the Justices of the Court of King's Bench had and might lawfully exercise within that part of Great Britain called England. At the time of granting the Letters Patent, the powers conferred on the Justices of the King's Bench by Serjeant Onslow's Act were conferred on the Judges of the Supreme Court of Bombay as part of the then power of the King's Bench. This was very ingeniously argued, but this would have exceeded the power of the King by his Prerogative. The King had conferred very large and ample powers on the Judges of the Supreme Court of Bombay by His Letters Patent. They were the sole representations of His Royal person in this part of India, and they represented him in the exercise of his dearest, his most valuable, and his most honourable prerogative. He had without any doubt conferred on them all the jurisdiction, powers, and dignity of his Court of King's Bench in England, and by a particular and express clause, the last, in his Letters Patent the King had been pleased "strictly to charge "and command all Governors and Commanders, and Magistrates and Ministers, Civil "and Military, and all other his faithful and "liege subjects whomsoever in and throughout "the British territories and possessions in "the East Indies &c. that in the execution "of the several powers, jurisdiction and authorities thereby granted to them, the "Judges of the Supreme Court," they not only should be "aiding and assisting," but that they be "obedient in all things as they will answer the countrary to their peril." "In witness whereof," say the Letters, "we have caused these our Letters to be made Patent. WITNESS OURSELF at Westminister." So that the Governor of this Presidency, and the Council, and the Commander in Chief, and all persons in authority are bound to pay obedience to the commands of the Court in the execution of its several powers; that is to the commands of the King signified by his Writs which he has intrusted the Court with power to issue; so that if any of these persons to refuse obedience was a direct breach of their allegiance to the royal authority and to the sacred person of the King. But though the King had power by his prerogative to invest with this ample authority such Judges as he might chuse to commission to administer Justice in any part of his dominions, yet they were bound to administer Justice according to the laws they should find there, and the law could not be altered after the Law of England had been introduced into any conquered country except by Parliament. The Law of England had been introduced into Bombay long ago, and if the King by his commission could confer on his Judges powers conferred on the English Judges by statutes passed long subsequent and not bearing that they should extend to Bombay, then would the King, in fact, alter the Law of England as established in Bombay without an Act of Parliament, which he cannot do.

The powers of the Court therefore in this matter were only such as they possessed at Common Law, and he could only desire that the Clerk of the Crown do cause a *pluries* Writ of *Habeas Corpus* to be issued returnable before him, the learned Judge himself, *immediati*, under the penalty of ten thousand rupees, and the learned Judge desired that the Writ should be translated by the Translator in the Mahratta language, and that the persons charged with the delivery of it should be desired, if they met with any difficulty in delivering it, to apply to the nearest Justice of the Peace, or if there should be no Justice of the Peace near, then to the chief Civil of-

ficer, or Magistrate of the Company there, and acquaint him with the Writ and the desire of the Court that he should be aiding and assisting to them in the obtaining the means of executing it.

RUSSIA AND TURKEY.

BATTLE BETWEEN THE RUSSIANS AND THE TURKS.

On the night of the 13th a powerful body of the Russian forces crossed the Danube, near Silistria; & the Turks, after on obstinate engagement on the 15th, in which they mustered more men than it was supposed could be brought together at the point where they were attacked, were defeated with a loss of between 9,000 and 10,000 killed, and 3,500 prisoners. The loss on the Russian side seems to have been by no means inconsiderable, amounting in all to 4 750 killed and wounded. The rapidity with which the passage of the Danube has been effected at a point so far to the west as Silistria, is extraordinary, and must contribute materially to the success of the campaign. In consequence of the action a considerable Turkish force, amounting, it is said, to 35'000 men, is shut up in the fortresses on the Danube. The following are the details of the Russian operations:—

"NUREMBERG, MAY 25,—The *Lemberg Gazette* contains the following Russian Bulletin:—

"Camp before Silistria, May 15, 1828.

"In order to leave the enemy no time to collect his armies on the Danube, and call into the field his fanatic Musselman population in the countries beyond Mount Balkan, the General-in-Chief, Count Wittgenstein, resolved to send from Jassy two Divisions of Infantry under Generals Yermoloff and Uwaroff and several Divisions of Cavalry under Lieutenant-General Count Pablen, which were to proceed by forced marches, and by the shortest route, to and over the Danube. Those Divisions were already assembled the day before yesterday at Turkulay, between Silistria and Rudschak, and it was resolved that they should cross the river during the might, while Lieut.-General Doctorow, with the vessels at the mouth of the Arges, crossed that river in the night, where the Turks, three thousand strong, were encamped behind the garden of this place, towards Rudschuk, under the command of Bona Mustapha, Pacha of Two Tails. The latter became aware of the passage of the van-guard, under General Uwaroff; on seeing this, they sent some galleys, with cannon, to hinder the remainder of the troops from crossing; but after some opposition from our troops, the vessels withdrew, and went further up the Danube; and the Pacha, with his troops, took flight near Rudachuk, and lost many men by the pursuit of the hussars and Cossacks. He abandoned all his camp, and some prisoners, among whom was a Cuaznadar, dangerously wounded. Major Jurgertz had another affair with the enemy near the village of Czacnowodiea, who had passed the Danube with above 1000 men, some leagues above Rudschuk. This affair lasted six hours. The enemy, who was then put to flight, let, 200 dead on the field, carrying off his wounded. We lost 45 men killed;—Wounded, Major Jargen Vilne, Second Lieutenant Jurlew, Cornet Baron Patemberg, and 51 privates,

"To-day the Seraskter Asean Bey, Pacha of Rudschuk made a sally from that fortress near Turkulay. He attacked General Doctorow, with 15,000 cavalry and infantry, with great impetuosity, both by land and water. The General, however, defeated the enemy with great loss, and pursued him 20 wersts.

"The enemy and 2500 men killed: we took 159 prisoners, among whom is a Bim Pacha; one cannon and three standards also fell into our hands. About the same time, in the afternoon, as Generals Uwarow and Yermoloff were marching with their divisions past the Castle of Koziodzy, they had a sharp action with the enemy.

"The enemy, whose cavalry alone, nearly 15,000 strong, was under the command of the Reis Effendi Abbu-Razack" who was Ambassador at the Congress at Akermann, and the infantry, nearly 40,000 men, under the command of the Colonel-General of the Nizam Gedid (new troops), stood pretty firm. The Turks, by their superiority of force, at first succeeded in throwing parts of our cavalry into disorder, to which the nature the ground which is full of defiles, contributed, as it hindered them from acting in proper order. But the infantry & horse artillery came to the support of the cavalry, & attacked the enemy with so much impetuosity that they totally put to flight all the enemy's corps who were briskly pursued for several wersts on the road to Schumis and Browods. Our troops got possession of the whole of the enemy's camp, all the tents, and a great quantity of ammunition of all kinds, 43 new brass cannon, 13 very large and 10 smaller mortars, and 107 standards; the number of the enemy's killed amounts; "between 9 and 10,000 men, and that of the prisoners to 3,503 of all arms. The loss amounts to 1.750 killed, and about 3,000 wounded. Among the first is Major-General Baron Rosen, Col. Italmsky, and several Officers; among the latter, General Baron Waymar, Col, Uwarow, the Lieut, Col, of the Regiment of Siewiko; Prince Ruticrew, Lieut. Brand, of the Moscow Chaiseurs; Lieut, Czernow. Fusign Charlemow, and several others, and 365 subaltern officers, In the fortresses of Guergewn, Rudschuk, and Silistria, 35.000 Turks are now shut up, who will probably have no alternative but soon to surrender to our victorious troops," —*Nuremberg Correspondent, May 25.*

The Morning Chronicle June 3

MR. GOULBURN, it is affirmed, will resign the Chancellorship of the Exchequer in favour of MR, HERRIES. The report of MR, VESEY FITZGERALD, who has returned, receiving the Board of Trade, assumes more and more confidence. *The Dublin Evening Post* states that MR, CROKER is canvassing the College, so that the report of his receiving the Judge Advocateship is probably well founded.—*The Morning Chronicle, June 4,*

(*From the Messanger des Chambres,*)

PARIS MAY 31.—The more we reflect, the more difficult it is to give credit to the bulletin of the Russian army, published by the *Gazette of Lemberg*. All that we can say at present is that the whole is extraordinary, with respect both to time and place. Three Generals are mentioned it it, who do not make part of that corps of the army.

The *Austrian Observers* received yesterday and this morning give some news, in which no mention is made of any important operations of the Russian army.

In a few days we shall know what to think;—we shall publish nothing but what is official.

(From the *Constitutionel,*)

PARIS JUNE 1,—We learn from Frankfort that the Emperor of Austria is about to negotiate for a loan of eight millions of florins. The Bank will discount Government Bonds accepted by some great houses to this amount.

It is said that the house of Rothschild is engaged to favour the circulation of new money of Platina, which the Russian Government are about to coin.

We have news from Contantinople to the 2d of this month, There was then no news in that capital, The embargo had been taken off most of the freighted vessels,

We yesterday gave an account (u signed) of the first serious engagement which has takes place between the Russians and Turks, but, in comparing the date with the distances, we can hardly refrain from expressing our doubts of the authenticity of the news, Lemberg is 220 leagues distant from Silistri taking the shortest post road; and from Lemberg to Nuremberg, by way of Vienna, there are 344 leagues by post, making the entire distance between Silistria and Nuremberg, 564 leagues, The news must have been sent to Lemberg by express; but the German journalist must have received the *Gazette de Lemberg* by the same course—a thing not at all probable. The ordinary courier travels 50 leagues at most in 24 hours, It is therefore quite impossible, even supposing that a despatch had been sent from the field of battle on the evening of the 15th that it could have arrived at Nuremberg in nine days, which it must have done in order to appear on the following day, the 25th, in the Gazette, To this observation we would add that the *Austrain Observer* of the 22d, which we have this day received, and which has so many sources of information as to what may take place in the theatre of war, and which does in fact give the particulars of what has been done since the passage of the Pruth, does not say a word on this subject, All these circumstaces authorise us to entertain doubts.—*The Morning Herald, June 4.*

The officer of Counsel to the Admiralty, vacated by the promotion of Mr. HORACE TWRSS to the Administration, has been secured by the LORD CHANDELLO for Mr. SHEPHERD, of the Oxford Circuit. This gentleman is a first cousin of Lady LYNDHURST, whose father (a Mr. BRUNSDON) married his aunt, formerly was in business in the City.

Some person having expressed his surprise that any Minister should have thought of placing the finances of the State under the charge of MR. GEORGE DAWSON and of Mr. GOULBURN, it being extremely problematical whether those gentlemen had been sufficiently successful in their arithmetical studies, to admit of their being pronounced well-grounded in the multiplication table, Dr. CROKER replied, that "He could'nt spake, any how, consarning that same; but it was themselves that were nate lads at a *division*, by St, PATRICK.

There were several ladies on the roof of the House of Commons on Monday night—amongst them *Mrs. Huskisson*—to hear Mr. H.'s *exposé*.

"WM. FITZHARDINGE BERKELEY" (Col. BERKELEY) has presented a petition to his MAJESTY, claiming the Barony of Berkeley, That petition, by command of his MAJESTY, has been forwarded to the House of Lords, through the Earl of SHAFTESBURY; and their Lordships have directed it to be referred to a Committee of Privileges.—*Morning Chronicle, June 5,*

The *Lady Flora* arrived in the Downs from Bengal fell in with on the 24th of February, in lat. 25 S. long. 60 E., from 50 to 60 pipes (apparently wine) floating; the casks quite new, iron hooped, and bungs covered with diamond-cut tin, a quantity of wood, such as casks are stowed with fir, with the bark on, and a quantity of wreck round, green, white, and black painted: the casks had a name on their heads, but could not make them out, owing to the roughness of the whether; all appeared to have been a very short time in the water.

Yesterday a Court of Directors was held at the East India House, when the ship *Maitland* was taken up for one voyage to and from Bengal, and the ships *Barrosa, Moffatt, Coldstream, James Sibald, Coromandel,* and *William Money* were engaged for a voyage outward to Bengal.

The East India Company's ships *Scaleby Castle* and *Vansittart* arrived from China, the former off Weymouth on the 2d, the latter off the Wight the 3d inst. The *Scaleby Castle* left China the 20th of January, and St. Helena the 15th of April. The *Vansittart* left China the 26th of January, and St, Helena, in company with the *Atlas*, the 14th of April, and parted from her on the 5th of May, in lat. 9. 21. N., long. 33. 20 W. The chartered ship *Childe Harold*, from Bengal, passed through the Downs for the river on Monday evening.—*Supt, to the Times June 5.*

MADRAS.

GOVERNMENT SECURITIES,

OCTOBER, 1ST.

Six per Cent, Bengal Remittable Loan.

At the Rate of Subscription viz.

350 Madras Rupees per 335 Sicca Rs....32 *Prem.*

At the Rate prevailing among Merchants and Brokers in buying and selling Public Securities, viz.

106½ Madras Rupees per 100 Sicca Rs. 30 *Premium*

Five per Cent, Bengal Unremittable Loan.

At the Rate of Subscription viz.

350 Madras Rupees per 335 Sicca Rupees .3½ *Discount*

At the Rate prevailing among Merchants and Brokers in buying and selling Public Securities, viz.

106½ Madras Rupees per 100 Sicca Rupees 1½ *Discount.*

Five per Cent.

Bengal New Five per Cent. Loan, of the 18th August; 1825. At the rate of Subscription, viz.

106½ Madras Rupees. 100 Sicca Rupees.... 8 Do.

SHIPPING INTELLIGENCE.

ARRIVALS.

None.—

DEPARTURE

SEPT 30th.—Ship Danae, Lafoncade, for Pondicherry, Bourbon and Bordeaux; Oct.

— 1st —Ship Lonach, L. Norkes, for Calcutta.

LIST OF SHIPPING IN THE ROADS.

H. M. Ship Success, Captain W. C. Jervoise.
H. C. Ernaad, Capt. A. Corstorphan.
Ship Circassian Captain G. R. Douthwaite.
Ship Atlas, Captain F. Hunt.
Ship Roxburgh Castle, Captain G. Denny.
Ship Actif, Capt. D. Chevelauro.
Brig Agues Captain T. Millons.

DOMESTIC OCCURRENCES.

BIRTHS.

At the Presidency, on the 25th September, the Lady of Captain Dowson, Paymaster of H. M. 89th Regiment, of a Son.

At Bangalore, on the 23d September, the Lady of Captain Bidple, of the Artillery, of a Son.

MARRIAGES.

At St. George's Church, on the 1st Instant, by the Rev. W. MOORSOM, B. A. Junior Chaplain, W. E. Underwood, Esq. Civil Service to Magdalene youngest daughter of W. Thompson, Esq. M D. Wexford, Ireland.

DEATHS.

At Bolaurum, on the morning of the 25th Sept. in the 37th year of his age, Mr. C. C. Brooks.

At Vellore, on the 22d September, of a severe attack of Fever, which she bore with exemplary patience, Harriet, eldest Daughter of Mr. Conductor Harris, of the Ordnance Department, aped 11 years lamented by her parents, relations and friends.

FORT ST, GEORGE, 30*th September* 1828,

THE Right Honorable the Governor in Council has been pleased to appoint Mr. William Marsh to be Master Attendant at Mangalore.

We are ever gratified in laying before the Publick, merited encomiums passed by Passengers, on the conduct of Commanders and and Owners of Ships on their passage out to this country or on their returning to their native land, for their liberality and attention during the Voyage. Attentions on such occasions are sincerely felt and must from their being publickly acknowledged, tend to the advantage of all Commanders and Owners, whose interests are concerned in giving general satisfaction to their Passengers such conduct we have very recently had the Pleasure to notice, but on the present occasion we perform a painful duty, in bringing to public notice, the very reverse treatment experienced by the Passengers of the Ship *Duke of Bedford*, which Vessel sailed from Bombay on the 6th March last; the facts of the treatment complained of, we extract from Letters received from Passengers, belonging to this Presidency, well known and highly respected by the Society of Madras. Before entering into the particulars of the hardships that the Passengers had endured, during a protracted voyage to Algoa Bay, we deem it necessary to notice, if not an actual breach of contract, a culpable and gross deception practiced on the Passengers who embarked from the Malabar coast.

The Bombay Newspapers announced "the Ship *Duke of Bedford*, as a fast sailing Vessel, bound to England, but to touch at the Cape of Good Hope, *if required*, to land Passengers." No Passengers having embarked at Bombay, for the Cape, those from this Presidency who were taken on board under engagement at the Portuguese Settlement of Goa on the Malabar Coast, naturally expected that this fast sailing Vessel would proceed direct to England; but to their consternation and disappointment, the OWNER being on board he carried his Ship to Calicut, to Colombo (here he loitered away seven days, for no purpose that could be discerned,) and from thence to Point-de-Gale, at which last mentioned place, he took on board as Passengers to England two Families, with eleven Children, and without laying in any article of supply for their tender years.

Thirteen days after the *Duke of Bedford* left Ceylon, the troops on board the Ship's Company, and the Passengers were put upon short allowance of Water.

On approaching the Isle of France, many other articles of supply falling short, and the sails and rigging of the Ship being also in a bad state, the Officer in charge of the Troops applied to the Commander to put into that Port for the purpose of procuring what was required, *The Commander and the Officers of the Ship* concurred in the necessity of the measure, and were of opinion that in the then state of the Ship it was *not safe to proceed to the Cape.*

This was represented in writing to THE OWNER; but he positively refused to allow the Ship to be taken into the Isle of France; in consequence of which refusal, the Passengers were put to a further reduction of the allowance of Water subsequently a third reduction of Water took place; and afterwards a fourth (i. e, to one pint) would have been made on the 30th of May, had not the Vessel fortunately entered Algoa Bay on the 29th,

The Cuddy Stores had failed also, neither Brandy, Rum, Beer, Biscuit nor Sugar were then procurable, and the only Stores the OWNER had left for his Passengers, were bad Madeira, and sour Claret, which obliged them the latter part of the Voyage, to drink Wine at their own expense.

Our letters further mention—"On entering this (Port Elizabeth) the Passengers were obliged to provide for themselves, the OWNER having refused to keep a Table for them on Board; with only two exceptions all have been obliged to seek accommodation on Shore." A letter of the 28th June states, here have we been detained thirty days at a very heavy expense, and we do not see any probability of sailing in prosecution of our voyage, although the Commander has reported to the OWNER, the Ship being ready for Sea as far as regards the Sails and Rigging, but water, and supplies for the Troops, the Ships Company, and the Passengers, are not yet on board," "The Passengers have addressed the OWNER repeatedly complaining of his detaining us here as a breach of his engagement with us, and pressing his speedy departure for our native Country, but without effect, and as he has declared the Ship shall *Rot at her Anchor*, sooner than she shall sail under her present Commander, we are at his mercy,"

Another letter dated 22d July, in allusion to the situation in which the Passengers were placed in consequence of their having

(*Continued in the Second Sheet.*)

BOMBAY.—PRINTED AND PUBLISHED FOR THE *PROPRIETORS*, AT THE GAZETTE PRESS, No. 10, MILITARY SQUARE, BY *THOMAS RIGBY*.

WHERE ADVERTISEMENTS, ESSAYS, POETICAL PIECES, ARTICLES OF INTELLIGENCE &c. &c. WILL BE THANKFULLY RECEIVED.

Gentlemen about to change their Stations, are requested to give Notice thereof to the PROPRIETORS, who will pay due attention to their Orders.

THE BOMBAY GAZETTE.

WEDNESDAY, 15TH OCTOBER 1828.

(Continued from the Gazette)

unfortunately engaged their passage with the OWNER, continues, "I say unfortunately; for I really do believe 6 Ladies, 13 Gentlemen and 16 Children, were never subjected to the same treatment and bad fare as we have been. We now find ourselves detained here for an indefinite period, at the very moment we expected to sail from hence in consequence of an intimation we received from the OWNER that he should sail on the 17th Instant, and it appears, that our disappointment is occasioned by the OWNER having placed his Ship and Cargo under the Admiralty Court at the Cape for the purpose (*as he says*) of having the Captain *removed* from the Command, which he cannot effect."

Such instances of total want of feeling, and marked principles of avarice are not fortunately often encountered amongst those, who plough the wide main, in search of the necessary requisites to ensure domestic comforts at Home. We have refrained from mentioning names, as we understand that the Passengers have taken measures to procure redress from the proper Authorities.—*Sup. to the Govt. Gaz. Sept.* 29.

CALCUTTA.

GOVERNMENT SECURITIES.

BUY.	SEPT. 17th 1828.	SELL
25	8 Remittable Loan, (Presh.)	24 8
At Par	0 Old 5 per Cent. Loan, Disct.	0 14
0 4	Prem New ditto Prem.	0 2

BANK OF BENGAL RATES.

Discount on Government and Salary Bills 4 per Cent
Ditto on Private Bills and Notes.....7 Ditto
Interest on Loans on Deposit.....6 Ditto

COURSE OF EXCHANGE

BUY.	CALCUTTA.	SELL
1 10½	On London 6 Months } sight, per Sa. R .. }	1 11

RATES OF EXCHANGE,

BUY.	CALCUTTA.	SELL.
1 10½	On London 6 Months sight, per Sa. Rs	1 11 *a* 2
Bombay	30 Days ditto per 100 Bombay Rs.	98 0
Madras	ditto Sa. Rs. per 100 Madras Rs.	91 0 *a* 092

SHIPPING INTELLIGENCE.

ARRIVALS.

SEPT. 15th.—American Ship Hoogly, E. B. Davison, from Boston 23d May.

— 21st.—Dutch Ship Grace; J. Allens, from Batavia 7th August, and Madras.

— 22d.—H. C. Ship Asia, T. F. Balderston, from London 25th and Madras 13th September.

September 22d.—The English Ship Mary, Captain J. Dobson from Greenock 30th April.

The English Ship Chieftain, Captain H. Blair, from Liverpool 5th May.

The English Ship Mangles, Captain William Carr from Sydney 30th June, Batavia—Isle of France—and last from Madras 17th September.

The American Ship Columbus, Captain S. Tucker, from Boston 18th May.

ARRIVALS OFF TOWN,

The Chieftain and Grace, (D.) off Calcutta. on Tuesday.

Passengers per Chieftain.—R. McKenzie Esq. Merchant.

Per Columbus.—Mrs. Charlotte Broke Mr. William Brooke and George Walker Clerk.

Per Bark Vesper from London.—G. F. F. Speed, Esq. A. C. Spurgeon, Esq. Assistat Surgeon; Cadets C. Hayart and Robert Munroe.

From Madras.—Mr. T. G. F. Cousett, Free Merchant.

Per Andes from Chili.—Mr. Charles Lyall.

On the 2nd July, in Latitude 9° 51' St. Long. 145° 22' E. having a strong breeze at E. S. E. with cloudy weather At 3 P. M. steering W. ½ S. passed a great many pieces of newly broken bulwark, stanchions, ports, firewood, &c. supposed to have come from off the Eastern fields.

Per Colonel Young from Singapore.—Captain Thomas.

Per Sir Archibald Campbell.—W. H. Martin, Esq. H. C. C. S.

Per H. C. Ship Asia, from London.—Mrs. Jane Thomson, Mrs. Mary Paxton; Mrs. Lucy Abbott; Miss Mary Thomson; Miss Janet Turnbull; Lieutenant Colonel Harry Thomson; Cornet Bonham, 16th Lancers; Mr. Stewart Paxton; Mr. John Hunter; Messrs. T. Wake and William J. Parker, Cadets; Christopher Garbett, Esq. Assistant Surgeon; Mr. Nicholas Mange, Free Mariner; Mr. George Kilby; Master Charles Abbott; Mr. Thomas Ribien; Charter Party Passengers.

From Madras.—Captain McPherson.

DEPARTURES.

SEPT. 18th.—Ship Alexander C. Oakley for Cape of Good Hope.

— French Brig Mari de Rose, Esnol, for Havre de Grace.

DOMESTIC OCCURENCES.

BIRTHS.

At Calcutta, on Saturday morning, the 20th Sept. the Wife of Mr. J. Vaughan, of the Honorable Company's Marine of a Daughter.

At Chinsurah, on the 17th September Mrs. John Vogal, of a Son.

MARRIAGES.

At Benares, on Thursday, the 11th Sept. by the Revd. C. Proby, Lieut. R. G. Roberts, Bengal Artillery, to Isabella, Daughter of the late Reverend George Holgate, Rector of Heydon Bois, &c. in the Country of Essex.

At Partaubgur, Oude on the 10th Sept. by the Reverend C. W. Crawford Lieut. Alban T. Davies, to Ann, the Daughter of Lieut. Colonel William Wilson, commanding the 37th Regt. N. I.

DEATHS.

At Culentta on Friday, the 19th Sept. at the Conductor's Quarters Charlotte infant Daughter of Mr. Conductor Stewart, aged 2 years, 4 months and 13 days.

At Allypore on Wednesday the 17th Sept. Mrs. Elizabeth Joice, Wife of the late Mr. Deputy Commissary Joyce, aged 47 years.

At Bankipore, on the afternoon of the 6th Sept after an illness of 16 days, the Rev. R. Burton, of Digah (of the Baptist Missionary Society,) in the 32d years of his age.

At Bankipore, on the morning of Wednesday, the 10th Sept. Mrs. Antoinette Julianna Boilard, aged 24 years.

THE FOLLOWING ARE GENERAL ORDERS ISSUED TO HIS MAJESTY'S FORCES IN INDIA.

Head-Quarters, Simla; 27th Augt, 1828.
No. 261. GENERAL ORDERS.

The following Division Orders issued by Major General Pine, are confirmed;

29th July, 1828—Appointing Acting Serjeant John Rees, Serjeant Major to the Detachments of the 3d Buffs Regiment, proceeding by water to Bhaugulpore, vice Goddard deceased.

3d August, 1828—Granting Leave of Absence to Lieutenant Donnithorne, 44th. and Assistant Surgeon Strath, 59th Regiments, to proceed to England on Medical Certificate, and to be absent each for Two Years, from date of Embarkation.

3d August, 1828—Directing Ensign Goode, H. M.'s 14th Regiment, to proceed by water to Berhampore, for the purpose of joining his Corps.

5th August, 1828.—Appointing Serjeant May, H. M.'s 44th Foot, to act as Serjeant Major, and Acting Corporal Jervis, H. M's 31st Foot, as Provost Serjeant, to the various Detachments of H. M.'s Troops, proceeding from the Chinsurah Depot to the Upper Provinces.

The Leave of Absence granted by His Excellency Lieutenant General Sir G. Walker to Assistant Surgeon Brydon, 54th Foot, to proceed to England on Medical Certificate, and to be absent on that account for Two Years, from date of Embarkation, is confirmed.

The undermentioned Officers have Leave of Absence.

13th Light Infantry—Brevet Captain Humphries, for Two Months, in extension from the 16th Instant, on Medical Certificate.

44th Foot—Lieutenant Douglas, from the 15th August to the 14th November to proceed to the Presidency preparatory to submitting an application for Leave to England, on Medical Certificate,

46th Foot—Lieutenant Langwerth, Two Years, to England, from date of Embarkation on urgent private affairs;

Lieutenant Gellespie, His Majesty's 4th Light Dragoons, has the Commander in Chief's Leave of Absence from his Corps, until the 1st of December, on which day His Excellency expects that Officer will be with his Corps.

Head-Quarters, Simla 31st August 1828,
No. 262, GENERAL ORDERS.

The Commander in Chief has been pleased to nominate Brevet Lieutenant-Colonel M. Everard, C. B., 13th Light Infantry, to be Commandant of the Depôt at Chinsurah. vice Brevet Lieutenant-Colonel Kelly, deceased, as a temporary arrangement, dated 7th August, 1828.

The Leave of Absence granted by His Excellency Lieutenant General Sir G. Walker to Ensign Wilmot, of the Royal Regiment, to proceed to Ceylon on private affairs, and to be absent from his Corps, from the date of Embarkation, to the 15th October next, is confirmed,

Major General Pine's Division Order, granting Leave of Absence to Brevet-Captain Nagle, of the 47th Regiment, from the 6th August to the 6th of October next, with permission to visit the Presidency, preparatory to submitting an application for leave to England on Medical Certificate, is confirmed.

The undermentioned Officer has Leave of Absence,

11th Light Dragoons—Captain Crigton, in extension for One Month, from the 10th of August, to remain at the Presidency, on private affairs.

Lieutenant Rouse, H. M.'s 3d Regiment, having satisfactorily accounted for his having exceeded his Leave of Absence, he is accordingly to be returned on Leave, until the date of his joining his Corps at Boglipore.

By Order of the Commander in Chief,
WILLOUGHBY COTTON,
Adjt. General H. M.'s Forces in India.

SUPREME COURT.

CALCUTTA, SATURDAY, JUNE 16.

THE KING *v.* WILLIAM WRIGHT HENRY NEWENHAM, MONTIZAMOOD DOWEAH MENDY ALLY KHAUN, KULUMBUR BUX, AND OTHERS

In this case a rule to shew cause had been granted as far back as November last, why a criminal information should not issue against all the above-named defendants, for obstructing the process of the Supreme Court and rescuing Montizamood Dowlah Mendy Ally Khaunout of the hands of the officer who had arrested him at the suit of William Morton.

On the 16th June Mr. Clarke moved on behalf of the applicants to make the rule absolute.

Messrs. Minchin, Prinsep and Cleland, shewed cause on behalf of Montizamood and Kulumber Bux the Nazir of the Zillah court of Furruckabad.

Messrs. Dickens and Winter appeared in behalf of Mr. Henry Newnham; no counsel appeared in behalf of Mr. Wright.

The following is the substance of the affidavits for the prosecution.

George Morgan, a bailiff of the Supreme Court deposed that he received a warrant from the Sheriff of Calcutta to arrest Montezamood Dowlah Mendy Ally Khaun, by a writ of capias ad respondendum, in a cause where one William Morton was plaintiff and Mendy Ally Khaun defendant, that he proceeded to the house of Mendy Ally Khaun at Futtighur, in the Zillah of Furruckabad, on the 28th January, 1826, that he entered the house, and shewed the warrant, which was fully explained to him, that hence he took him attended by a few of his personal servants, to a bungalow where William Morton resided, as Mendy Ally Khaun was desirous of conferring with him: he accordingly went to Morton, in order to settle the difference between them: that Morten stated it would be unpleasat to nim to confer personally, but that he was agreeable to refer the matter to arbitration; to this mode of arrangement Mendy Ally Khaun objected; on his return he found the Bungalow where he had deposited his prisoner surrounded by men, armed with guns and match-locks, which they loaded on his approach; that, in consequence of the increasing numbers, and threatening gesture of these persons, he deemed it unsafe to remove his prisoner; he believes that, had he attempted it, he and his people (who amounted to only twenty-five) would have lost their lives, or sustained serious injury; that he therefore detained him in the Bungalow until a boat could be procured; that during the 28th, he repeatedly offered to receive the bailable sum, and to remit the same, awaiting the instructions of the Sheriff; that Mendy Ally Khaun refused to pay except his release was granted, which the officer did not feel himself warranted in doing, as he conceived he would have become liable for the amount of all retainers then logded against him, which Morton assured him was considerable; that on the 28th and 29th Meer Hossain Ally and another offered large sums for his release; that on the 28th, Mendy Ally Khaun was visited by Colonel Hickman, whose assistance he solicited to secure his prisoner, whose rescue he apprehended from the number of armed men who still surrounded the house: that the letter he sent soliciting this assistance was returned un-opened, and that he was menaced for having taken his prisoner without Colonel Hickman's permission; that he told him the contents of the letter, and called on him in his Majesty's name to afford him assistance—this he positively refused, and, with Captain Fulton, again threatened him,—that, after remaining two hours, they departed—that, on the evening of the same day, Mr. William Wright, Judge and Magistrate of Furruckabad, accompained by his wife, visited the prisoner at the bungalow; that he ordered the deponent into his presence, and demanded the authority by which he detained Mendy Ally Khaun; that he shewed him the warrant of the Court, when he told him in a threatening manner it was his duty to take bail, that he as a Justice of the Peace, approved of the same; that the deponent informed him he had no authority to interfere in the process of the Supreme Court, and that he could not legally take bail without the instructions of the Sheriff—that Wright remained conversing with Mendy Ally Khan in a tone of voice too low to be overheard; that in half an hour he departed; that all persons except the armed men, had free access to Mendy Ally Khan during his confinement, that a few minutes after Wright's departure, they pressed upon him in a threatening manner, demanding admittance—that he apprehending rescue, opposed them; that during this attempt, they were encouraged by Mendy Ally Khaun, who told deponent it was useless to resist, as he could call thousands of his retainers to his assistance, that he was overcome by numbers; and with his peons, turned out of the house, by the express directions of Mendy Ally Khaun, that the deponent explained the nature of his authority, which they treated with contempt, heaping the most opprobrious terms on the Supreme Court, and declaring they would have satisfaction of Morton for the arrest, he believes firmly that the retainers were encouraged in this conduct by the demeanor of Hickman, Wright, and Fulton, and that, without such example, they would not have committed the violence; that, under these circumstances, he wrote to Mr. Wright on the 29th, for assistance, without which he considered his prisoner would be wholly rescued—that he returned for answer that he must wait on him, which, from the strength of the armed force about him, he knew he was incapable of doing—he further deposes that, on the 29th, Mr. Henry Newenham, a civil servant, visited Mendy Ally Khaun,—that on quitting the house he threatened to punish deponent's officers (who belonged to the district of Furruckabad) for aiding in this arrest and detention, and threatened that they should be sent to Jail—he further states that Kullender Buksh, Nazir of the Criminal Court of Furruckabad, came to him on the 30th, accompanied by a great body of men, whom he believes to be sipahees, and made him and his peons prisoners, and confined him in a room, which he was not permitted to quit—that he [illegible] to obey the orders he had received from Mr. Wright, that he spoke contemptuously of the authority of the Supreme Court, and declared his intention to act on his perwanah; that, on deponent's being seized, Mendy Ally Khaun escaped; that he received a summons directing his attendance before Mr. Wright, to whom he, then addressed a letter, expostulating on the measures he had pursued, and calling on him, in the King's name, for assistance, to which he received an answer, desiring his immediate attendance before him, to shew cause why he should not accept of bail, and stating, if he did not, that he should himself release him; that he afterwards proceeded to Mr. Wright's house, again warned him of his illegal interference, and demanded the delivery of Ally Khan in the name of his Majesty; he further states that in the month of October preceding, he received a warrant to arrest Mendy Ally Khan for 1,07,456—8 which warrant having expired, he had reason to believe that another had been sued out, and that other writs would be delivered to the Sheriff on Mendy Ally Khan to a large amount.

The deposition of one of the peons on Morgan's service, goes to corroborate the foregoing statement.

William Morton, late of Futteghur, and at the present, Agent of Serampore; deposes that Mendy Ally Khan being largely indebted to him, and not allowing the sum to be set off against sums due to Mendy Ally Khaun from him and his co-partners, he commenced two different actions against him; and that on the 28th of January, he was accordingly arrested at Futteghur for 6400 Rupees, which his Calcutta agent afterwards paid, that on the morning of the 28th January, Morgan came to inform him that he had arrested Mendy Ally Khan; whom he had brought to a house in his enclosure at his own request, for an interview with the deponent, that having no hope of arrangement; he declined seeing him and referred the affair to arbitration, that Morgan made known his proposal, which Mendy Ally Khan refused—Morgan likewise informed him that the compound was full of armed retainers, and that he apprehended rescue—that he looked from his window, and saw the men mentioned, who were tumultuous in their behaviour—that Morgan expressed his fear that bloodshed would ensue, if he attempted to remove Mendy Ally Khan, whom he resolved on keeping in the Bungalow accordingly, until he would be moved without risk—that on that day, the next, and up to seven o'clock on the 30th the same appearance of tumult prevailed, that he felt himself in danger, as Mendy Ally Khan had been arrested at his suit—that things remained in this state till the morning of the 30th, when he saw Mendy Ally Khan leave the Bungalow, surrounded by his armed retainers, together with certain Chaprassies of Mr. Wright, that immediately afterwards Morgan came and informed him that he had been put under confinement by the Chaprassies of Mr. Wright, who had liberated his prisoner; that besides the large sum for which the first writ had been sued out, the deponent had other and heavy demands against him; that Wright at this time, was living on unfriendly terms with deponent, and that an undue familiarity existed between him and the native in question; that he does not think Wright, in liberating Mendy Ally Khan, acted from a sense of public duty, but on account of their habits of intimacy, the native's wealth, and the personal enmity existing between Mr. Wright and the deponent.

The deposition concludes by shewing that Mendy Ally Khan was engaged in very extensive commercial transactions in Calcutta, and therefore liable to the jurisdiction of the Supreme Court.

The deposition of Muckkun Singh, a peon in the employ of the Supreme Court, was corroborative of the foregoing affidavits.

The depositions and statements on the part of the defendants are very numerous, and, in a great measure, disprove those of the Sheriff's officer, the substance of Mendy Ally Khaun's statement is as follows: that on the day in question a person representing himself as Judge of Benares, sent word that he should visit him; that the person so representing himself came, and having been sometime there, produced a warrant and declared himself an officer of the Supreme Court, and that his business was to arrest him at Morton's suit, that he thought this transaction extraordinary, as Morton was his debtor, but replied that he would send the money, and adjust subsequently with Mr. Morton, that the officer stated he had

no authority to that effect, and that deponent must go himself to Morton's house, which he refused, as he was not on terms with Morton; that Morgan told him if he did not go he would be liable for a contempt of the authority of the Court—that he then went to Mr. Morton's house, where he saw a number of armed men; that he went in, when Mr. Morton sent his agent to tell him that he would not be released until *the* bond for two lackhs was given up, this he refused, proffering the amount of the warrant,—that finding things thus he declared his wish to proceed to Calcutta, but that in the interim, he wished to be removed to another house, which the officer refused to comply with, he then sent his servant to engage a budgerow. The boat having been prepared, he informed Morgan that it was ready and that he wished to go on board, that the officer objected to this, until Mr. Morton should be satisfied; he then wrote to inform Mr. Wright, Colonel Hickman, and Captain Fulton of his situation, who came and advised with the officer on the propriety of his release, on payment of the amount of the warrant, which was tendered, and refused, unless Mr. Morton would give his sanction; that Colonel Hickman then asked the officer why he had executed a warrant in confinements without giving him notice; he then sent a written representation of his case to Mr. Wright, who gave an order to his Nazir, Kullember Buksh, to bring the deponent before him, which at seven o'clock on the Monday he accordingly did, enquiring by whom deponent was confined, and observing that Mr. Morton's armed servants were about the house, that the Nazir then took him to Mr. Wright's who received his hoondi for eight thousand rupees, and took bail for his appearance in case of summons from the Supreme Court; that at 3 o'clock on the same day he returned to his house; he further states that the place in which he was confined was much dilapidated, that it was without furniture, and that armed men not in Mr. Morton's employ, but that Mr. Morton was deeply in his; about two lackhs on his own account and six on his nephew's, for both of which he has bonds under the hand of Morton and his co-partners, and that he confined deponent for the purpose of extorting the bond for the first-mentioned sum—that he sent his Moonshee to Morton to know why he was unjustly confined, and received for answer that he should not be released until he had expunged Morton's name from the bond, the debt of two lackhs is Morton's personal debt, the other belongs to the firm.

The statement of Henry Newenham strengthens the accounts of Mendy Ally Khan, that part of the charge which relates to himself in the officer's allegations he thus explains, on visiting Mendy Ally Khan, he complained much of the indignities which he had suffered, and on Mr. Newenham's expressing his opinion that his personal comforts were not denied, he referred him to the armed men standing at the door, and collected in the bungalow; on speaking to the men at the door, and asking whose servants they were, they said they were Mr. Morton's and observing they were men ununiformed in affairs of that nature, he told them they should be careful they did not incur personal responsibility, he repeated the injunction on the outside of the bungalow, where the men told him that they were the servants of the officer; he had never advised Mendy Ally Khan to a forcible rescue; he heard that the bailiff had asserted this; he taxed him with it in Wright's presence, when he hesitated, and deponent told him if he had, he had been guilty of a malicious falsehood; he saw no armed men of the Nawab about the house; it was filled with his acquaintance and servants, but he saw no offensive disposition evinced. The statements of Colonel Hickman, Captain Fulton, Lieut. Garret, and many others are nearly to the same effect as the foregoing, and only differ from the situations of the parties at the time the occurrence came under their observation.

The Counsel for the different defendants followed in long and able advocacy of their clients; we regret our limits will not allow us to follow them.

The Chief Justice then delivered the opinion of the court to the following effect. The facts that were most material in this case were that William Morton, a British subject, sued out a writ against Mendy Ally Khan; that Morgan, an officer of the Supreme Court, with 25 peons, was directed to execute this writ, which he accordingly did, and carried his prisoner to the house of Morton. It appeared that Mendy Ally Khan had tendered bail to the Officer, which he had refused, on a plea that he was not authorized to take it without advice from the Sheriff of Calcutta, as he would then become liable for the amount of all retainers which might at that time, be lodged against him. It further appears that Morton had offered to set him free on the delivery of a certain bond to which terms the Nawab would not conform: on this Mendy Ally Khan wrote to Mr. Wright, the Judge and Magistrate of Furrackabad, to acquaint him with the circumstances who visited him, and endeavoured to persuade Morgan to take bail; he persisted in his refusal: Mr. Newenham, Member of the Board of Revenue, likewise endeavoured to persuade the officer that it was his duty to take bail, and having considerable doubt as to the legality of the Officer's proceedings, he warned him of the responsibility which he would incur by any illegal measures: it next appears that Wright issues a purwanah, and finally the next day releases Mendy Ally Khan from the hands of the officer. A question had been made whether the court possessed authority to grant a criminal information against Mendy Ally Khan, as it had been said that he was not subject to this jurisdiction as he was not an inhabitant; in his own opinion, however, the question of the jurisdiction of the court should not be entertained, it did not, in his opinion depend on locality offence. There were two distinct powers of jurisdiction, vested in the Court, that of Oyer and Terminer, and of the Court of King's Bench; the former was limited but the latter was not, but extended throughout all the provinces under *this* government, it was his opinion that the Supreme Court possessed authority to grant information any where in the Company's territories for any act for which the Court of King's Bench could issue one in England, and that the Court had a complete power of punishing any native, foreigner or other person soever, for contempt, or violent obstruction of the process of the Court in the same way as the Court of King's Bench: it would be perfectly anomalous to say that they did not possess the power of punishing that by the more deliberate mode of information, which could be effected by the more summary process of attachment; he would not confine it to that question: seeing that they possessed the jurisdiction of attachment; he would not confine it to that question: seeing that they possessed the jurisdiction of the King's Bench, he did not know that the Court might not enter into a criminal information against any person whatever he would state however that such an authority should be executed sparingly and with caution. This would set the question of the grounds of the Criminal information at rest, as our jurisdiction over Mendy Ally Khan does not depend on his being an inhabitant of Calcutta.

With respect to the facts brought forward, it is clear that Mendy Ally Khan was taken out of the hands of the officer against his will, and that Wright had no authority to institute enquiry as to the jurisdiction of the Supreme court—had he here acted upon information of an alleged breach of the peace, he should have considered he did right, but he was guilty of a decidedly illegal act and an improper obstruction of the process of the Court: he was of opinion that all the other parties were more or less implicated in it; it would be an abandonment of the trust reposed in that Court, if it allowed a man in Wright's situation, or in fact, any person, to act on information or suspicion of wrong, and to release a person who had been confined by process of that Court. When he said such conduct was illegal and irregular he certainly thought that it was qualified by many considerations, he was perfectly aware of the many alledged inconveniences arising from the execution of process of the Supreme Court in the Mofussil, and that persons endeavouring to obviate these may, in many instances, be led into irregularities, these persons were responsible for breach of the peace, and in this instance, there was imminent danger as appears on the evidence: there were many circumstances in the conduct of the bailiff which made it suspicious that his employer was not actuated by any proper motives, no one felt more strongly than himself the extent of the sheriff's officers in executing the process of that court, or felt more indignant at any act of oppression on the part of the officer, or would punish it more severely.

It had always been customary for the bailiff, in such case, to apply to the Magistrate of the district in which the warrant is to be executed, and he repeated it that although it was impossible to subject the process of that Court to the will of a Magistrate, he was bound to afford assistance as a justice of the peace and that, if he threw obstructions in the way, he would be amenable for the offence. In this instance the bailiff omitted it, and there was no excuse for him. It appeared that both bail and money were tendered to him which he refused when either might legally have been taken and the conduct of Morton in suing out the writ was in itself, harsh and improper; he would not enter further into that argument; here was sufficient to prove the misconduct of the officer without that; it appeared to him that an indictment might be prefered against Wright and Newenham, if such measure should be found necessary. This case carried on its face an appearance of a wish to harass and to make the small debt the medium of extortion, there is one fact stated on affidavit and uncontradicted (it might be there was no opportunity of contradicting it) it was on the affidavit of Mendy Ally Khan; he alluded to the proposal to release him on giving up the bond for 170,000 rupees, this they were bound to receive as established, and it was a fact which evinced a spirit of enormous extortion, If this had been the act of natives, who could not have been indicted, he thought the course would have been correct in entertaining the criminal information but as the Nawab and Kellender Buxsh are the only persons of that description selected in this instance and he considered them less faulty than the others; he thought it would be better to proceed by indictment, which could be preferred against the other defendants before the next session of Oyer and Terminer, if Morton thought they were liable for their misconduct. On considering the whole circumstances he was disposed not to grant the information. With respect to the question of costs he thought the rule the King versus Erielding would decide; he considered that neither party was entitled to costs. Morton, because he had not been influenced by pure and proper motives but on the contrary by impure and improper motives, and Wright and Newenham, because their proceedings had been highly irregular and illegal. They were therefore, neither of them entitled to have costs, he had only one more observation to make, which was that although he considered that court might entertain an information for any offence committed within the presidency, of Fort William, as in the King's Bench in England, he was far from saying that it should be exercised in all cases, on the contrary, he thought it could not be exercised too sparingly and cautiously the cases in which it would be peculiarly called for would be those of natives who obstruct the process of the Supreme Court, and, who are not indictable, and cannot be brought up in a Court of Oyer and Terminer.

Order discharged against all parties without costs.—*Govt. Gaz. June 16.*

Foreign News.

PORTUGAL.

The counterrevolution in Portugal, appears to have terminated without the effusion of blood, though brought about by the military. They have been so much accustomed to be the arbiters of the destinies of Portugal of late years, that they appear to be offended at Don Miguel's aspiring to grasp the Crown without their concurrence. It was the military who set up the Constitution in 1820, and who cast it down in 1823; and it was through their aid also, that he sought to depose his father in 1824, and yet not a single brigade was secured to his interests, though the Queen Mother appears to have provided all the regiments with officers.

The following is a Proclamation issued by the Military Council at Oporto on the 17th May,

"Portuguese,—The military force, essentially obedient to the spirit of the explicit oath of fidelity to the legitimate King, Don Pedro IV., has assembled, by authority of that solemn and sacred oath, to ratify and sustain it.

"The express declaration that the legelimate sovereign is dethroned, and another monarch, not Don Pedro IV., proclaimed, a rebel faction are reasons to justify the noble resolution of the Portuguese troops.

"The magnanimous author of the constitutional charter of the monarchy did not foresee that he had rebel authorities, who, claiming dominion over the same force, have endeavoured to impel it to the destruction of the legitimate authorities; and for our shame, the Governor of Arms, who was of that faction, and which post he abandoned, having received his promotion in the name of Senhor Don Pedro IV., alone caused, by perjury and vengeance, that the force should assemble to destroy that said constitution.

"Then what means remained to the defenders of legitimancy in the mountains of Caruche, in the defiles of Amarante, on the banks of the Prado, and at the bridge of Barca? The blood which the constitutional subjects of legitimacy there shed was devoted to the most abject disgrace; deeds were to be punished as crimes, which were our emblazon of honour; and the faction was about to bring us to account for our subordination and obedience to the constituted government which ordered us to support the military glory, the honour of our country, the sanctity of our oath, and the legitimacy of the throne Portuguese our cause is just; heaven, in the face of which we swore obedience to Don Pedro IV., must bless our exertions, for it orders us not to take the name of God in vain. The sovereigns of Europe, allies of our most fortunate Monarch, near whose government their representatives stand, must respect the character of Portuguese soldiers; our companions in arms must aid us in our glorious enterprise.

"We protest, however, before God and men, that nobody more than us respects the Infant Don Miguel, as lieutenant of his brother, legitimate and sworn King of Portugal, Don Pedro IV; but as far as the faction which surrounds him have slighted the express meaning of an oath superior to ours, we are obliged, with respectful regret, to consider his governing will as unable to the task.

"Portuguese—Long live his faithful Majesty Senhor Don Pedro IV! Long live Donna Maria II! Long live the Constitutional Charter! Long live Don Miguel, as Lieutenant of his august brother! Long live the holy religion of our fathers which presided, over the oath which we take.

"Porto military council in the quarters of St. Ovidio, May 17.

(Signed) DUARTE GUILHERME FERRERI, Colonel of the 4th Regiment Artillery.

"FRANCESCO JOSE PEREIRA, Colonel of the 6th Infantry.

"HENREQUE DA SILUADE FONSECA, Colonel of the 18th Infantry.

"FRANCESCO DA GAMA LOBA BOTHELHO, Colonel of the 12th Cavalry.

"JOSE JULIO DE CARUALHO, Colonel of the 12th Cazadores.

"JOSE DE BROS ET ABREU, Lieutenant Colonel of 12th Cavalry.

"ALEXANDRE DE MAIO DE BRITO, Lieutenant-Colonel of the 6th Infantry.

"JOAQUIM MANOEL DA FONCECO LOBO, Lieutenant Colonel of the 11th Cazadores.

"MANOEL ALEXANDRINO PERREIRA DA SILVA, Major of the 18th Infantry.

"ANTONIO DA COSTA E SILVA, Major of the 4th Artillery.

"ANTONIO CORREA LEITAO, Major of the 18th Infantry.

"MIGUEL CORREA DEM ESQUITA, Major of the 11th Cazadores.

"PEDRO ANTONIO ROBOCHO, Major of the 10th Cazadores."

English Extracts.

THE ARMY.

War Office, May 29, 1828.

16th Regiment of Light Dragoons—Lieutenant Charles Fredrick Havelock to be Adjutant vice Vincent who resigns the adjutancy only, dated Oct. 6. 1827.

2d Regiment of Foot—Brevet Lieut. Colonel Thomas Willshire, from the 46th Foot, to be Lieut. Colonel without purchase, vice Place, removed to the 41st Foot. dated Aug. 30, 1827.

3d Foot—Ensign Henry Ducre Bucy, vice Amiel deceased, dated Aug. 4, 1827; and Ensign William Henry Sned Ramey, vice Bruce, deceased, dated Oct. 13, 1827—to be Lieutenants without purchase, Thomas Ludbey, gent. vice Turton, deceased, dated Sept. 20, 1827; John Bridge gent. vice Lacy, date May 14, 1828; and James Speedy, gent. Vice Rainey, dated May 15, 1828—to be Ensigns without purchase.

6th Foot—Lieutenant James Gell to be Captain, without purchase vice Clarke, deceased, dated September 15, 1827; and Lieutenant Cecil Hammond to be Adjutant, vice Griffiths, who resigns the Adjutancy only, dated September 19, 1827.

13th Ditto—Ensign John Edwad Orange, to be Lieutenant without purchase, vice Campbell, deceased, dated Oct. 15, 1828.

14th Ditto— Lieut. John Du Vernet, from the 45th Foot, to be Lieutenant. vice Nayler, who exchanges, dated October 20, 1827: William Graham, Gent, to be Ensign, vice Tulleh, dismissed the Service, dated Sept. 21, 1827: and Ensign William Graham to be Adjutant, vice Grant, who resigns the Adjutancy only, dated Sep. 21, 1827.

30th Ditto—Lieutenant Richard Mayne to be Captain, without purchase, vice Young, deceased, dated 5th August, 1827. Ensign John Martin Thomas Borton, without purchase, vice Andrews promoted in the 44th Foot, dated 16th September 1827; Ensign Edward Regan Gregg, without purchase, vice Mayne, dated 25th September 1827; and Ensign James Patrick Meik, from the 45th Foot. by purchase, vice Evered, who retires, dated 10th Oct. 1827 to be Lieutenants, William Hodder Heard, gent. vice Borton, dated 16th Sept, 1827: and James Gwolkin Cochrane, gent. vice Gregg, dated 15th May, 1828—to be Ensigns, without purchase.

41st Ditto—Lieut Col. Robert Place, from the 2d Foot, to be Lieut. Colonel, vice Chambers deceased, dated Aug. 30, 1827.

44th Ditto—Major John Shelton to be Lieutenant Colonel without purchase, vice Carter deceased; Captain William Burney to be Major, vice Shelton; and Lieutenant Malthas Andrews, from the 30th Foot, to be Captain, vice Burney—all dated Sept. 16, 1827

45th Ditto—Lieutenant Robert Nayler from the 14th Foot, to be Lieutenant, vice Du Vernet, who exchanges, dated Oct. 20, 1827; John Charles Campbell, gent. to be Ensign, by purchase, vice Meik, promoted in the 30th Foot, dated May 15, 1828: and Serjeant-Major John Hine, from the 48th Foot, to be Adjutant, with the rank of Ensign, vice Ebhart, promoted dated August 1, 1827.

49th Ditto—Captain William Nairn to be Major, without purchase, vice Wiltshire, promoted in the 2d Foot, Lieutenant Tobias Purcell to be Captain, vice Nairn. Ensign William Lacy to be Lieutenant, vice Purcell. W. Pollock, gentleman, to be Ensign, vice Lacy, All dated August 30, 1827.

41th Ditto—Lieutenant John Croker to be Captain, without purchase, vice Marshall, deceased, Ensign Anthony Donelan, to be Lieutenant, vice Croker, both dated July 9, 1827, Frederick Augustus Wetherall, gentleman to be Ensign, vice Donelan, dated May 15, 1838.

59th Ditto—Ensign Robert MacGregor to be Lieutenant, without purchase, vice Clark, deceased, dated August 3, 1827, Alexander M'Donald, gentleman, to be Ensign, vice MacGregor, dated May, 15, 1828.

MEMORANDUM—The Commission of Captain Wynn, of the 83d Foot, has been antedated to 14th December, 1806, that being the date it ought to bear, but he has not been allowed any back-pay.

Office of Ordinance, May 27.

Royal Regiment of Artillery—Gentleman Cadet Robert Crawford, vice Severne, promoted: William Romney Cleeve, vice Briscoe, deceased; William Robert Nedham, vice Vandeleur, removed to the Line; Patrick Scott Cambell, vice Holling worth, promoted; Augustus Henry Frazer, vice Wingfield, promoted, Thomas Geo. Mailay, vice Tulloh, promted; Edward Charles Werde, vice Farrell, promoted; and Alexander Tyller, vice May, promoted, all dated May 19, 1828—to be Second Lieutenants.

Detachments belonging to the 3d Regiment of Foot, and the East India Company's Service, arrived in town yesterday, from Bristol, and received orders to embark this morning, on board a steam-vessel in the River, for Gravesend on route to Chatham.

IMPERIAL PARLIAMENT,

HOUSE OF COMMONS:—April 24.

Court of Chancery.

Mr. M. A. TAYLOR rose in pursuance of his notice, to bring forward his motion, which had, he not heard to the contrary from a high quarter in the House, he should have thought would have been sanctioned by his Majesty's Government, and had that been the case, he should have had no occasion to go at any length into the subject. He could not conceive what could induce his Majesty's Government to persist in their refusal to look into the state of the Court of Chancery, which had been the subject of appeal to that House for years and, which, before he sat down, he would prove to be at present in a worse state than ever had been. He supposed that it was, because motions on this subject proceed from an humble and insulted individual that they were not noticed; but he had such reliance on the good sense of the House and the country, that they would see that this Court was not sufficient for the business of the country, and that one day or other they would demand of the Government to take some steps to ameliorate its condition. The subject had before been thought deserving of enquiry. In 1811, a motion had been carried by the casting vote of the Speaker, for an enquiry into the state of the suitors, and, with the concurrence of the Lords, it was agreed that steps for that purpose should be taken. He would assert that the state of the Court was not then one-third so bad as it was at present. The truth was, the evil was of such magnitude, that Ministers did not like to look it in the face, and they were in the habit of saying, "We know it is very bad, but what can be done?" In many cases, also, he had been told, why "Go forward without shewing some remedy?" And when he had offered to shew it, then he was told "We are not agreed as to the extent of the evil." He could, however never relax in his efforts upon the subject. If he were told to produce a plan, he would do so; but, at all events, he would at different times take the sense of the Hous-

He had no individual interest in what he did. He never writhed under the inflictions of the Court of Chancery, and, rather than suffer the misery of suits said he would with pleasure forfeit several hundred pounds. Would Ministers, themselves think it pleasant to go there? No—they would not; but still the public was to be sacrificed to the political state of the country. He did not mean to quarrel with the Report before the House. He would only observe, that two years had elapsed: that the Bills brought forward had been abondoned, and that all the public had to look to was a string of resolutions, or orders, published by the Lord Chancellor and which were intended merely to expedite causes to the period of hearing. He had not, however, any thing to do with the subject until the time of hearing, and up that period he did not quarrel with those orders. Although he had been at the bar, and had practised in Chancery, he would not then enter into the practices which might clog suitors, but he would call the attention of the House, one time or other, to these orders, as well as to the system generally, which were far from what it ought to be, as it was not the subject he meant to discuss. He would however say, that from the strides made by the Court of Chancery, if it proceeded in its present course, there was no knowing to what length its inflictions might extend; he appealed to the country Gentlemen what would, in process of time, be the result; and whether there was any subject, however private or indifferent, according to the powers now claimed, might not be brought before it. Indeed he might go as far in that way as *Hudibras*, who looked upon it as an engine even in law and match making, for he suggested, when speaking of the lawyers:

> "And if you follow their advice,
> In bills and answers, and replies,
> You'll write love-letters in Chancery
> Shall make your fair, on oath, answer ye'
> And either force her to be your wife,
> Or make her wretched all her life."

And indeed (said the Honourable Gentleman) that is true; for if I was a young lady—(*A laugh*)—and a man said if you don't marry me I'll put you into Chancery, as will be recollected was done the other day with a dead man, against whom a bill was filed, I would agree at once to his proposal sooner than be obliged to go in there and answer upon oath as to whether I liked him, and to the various other pquant interrogatories which a humourous or a malicious genius might suggest. As to the orders, they did not appear to be consistent with what they ought; as when a hill was ripe for hearing, the party was obliged to apply for leave to set it down, and considerable time would elapse before even the very hearing came on. He had before stated, that if a party sued for a legacy of 200*l.* bequeathed to him, and that the executors to the will did not admit assets, he would defy the most ingenious, acute, and able solicitor in London, to get that 200*l.* out of Chancery under a period of six years. Also, if a widow and children were to receive a residuary bequest, after the payment of debts, &c. provided there were assests, could it be supposed, although it certainly was the case, that during the whole of the proceedings (unless the Master made a separate report) that this widow and children would be actually left without any means of support. The motion he intended to propose, he should shortly state, because he would be sorry to lead the House astray, or under any circumstances to bring forward a motion which he could not substantiate. The terms of his motion would be "that it appeared to the House, from the papers laid before it, and the evidence taken by the Commissioners, that notwithstanding the establishment of the office of Vice-Chancellor in 1813, some further step, were necessary for the advantage of suitors in having their case decided, and for enabling the person presiding in the Court of Chancery effectually to discharge his other important duties." When the question was last before the House, his Right Hon. Friend the Home Secretary, did him the honour to say that he was glad he (Mr. M. A. Taylor), did not mean to move for any further Committee, and was content with the papers before the House, and with the evidence before the Commissioners. When he moved for papers a few weeks ago, he stated the numbers of causes then set down, as far as he was able to learn, and he found it correct. He begged to assure his Hon. Friend the Solicitor-General, that he would come to the question simply, and he hoped that he should justify himself in the opinion of the House by the course he would pursue. By the appers on the table, it appeared that on the last day of Hilary Term, 1818, there stood before the Chancellor, causes 35'. Pleas and demurrers 17. Exceptions and further directions 158 making in all 595. It was important to mark a distinction here, for when a cause was mentioned or heard, it should be understood as being simply in a state of progress, because it was afterwards to be sent to the Master for his report, after which came exceptions and then probably another hearing for further directions. Sometimes there were two applications for further directions and what he complained of was confirmed by causes remaining standing for hearing during two years, and afterwards set down for further directions for full a year and a half. The Hon. Member then went on to notice in terms of highest praise the exertions made by the present Master of the Rolls while in the office of Vice-Chancellor. He then did all that man could do to expedite the business of the Court. By the utmost possible exertion he was enabled to place the business of his branch of the Court upon such a footing as that cause generally received further direction in six or seven months after they came upon the paper; but before a short time had ellapsed from the period of his appointment, business so increased that he found it impossible to put them in a train for further directions in less than 18 or 19 months from the time they appeared on the paper. The House would of course bear in mind, that when these directions were given, there was still not an end to the suit—these directions were far from finally disposing of it.—On the first day of last term there were altogether no less then 559 causes in the Court of Chancery not disposed of, that is, before the Lord Chancellor and the Vice-Chancellor. There were at the same time before the Master of the Rolls, 81 cases upon exception, and 147 causes, which with those set down for further directions, made 260, giving a total of 825 in the Court Chancery. He spoke from facts well authenticated. It would be seen from the paper delivered in Counsel within last fortnight, that before the Lord Chancellor there were 20 judgements—there had been 60, but of that number 40 had been gotten rid of, 20 of course remaining. On the first day of Term, in the Vice-Chancellor's Court, there stood for judgment, 27 on pleas and demurrers, 75; causes 311; exceptions and further directions, 100. His statements were facts; and it was worthy of remark, that some of the causes which had been heard before Lord Lyndherst, when he was Master of the Rolls, were not yet decided.—(*Hear*)—In 1811, 1812, and 1813, when the House had thought it right to interfere, the state of the Court was thus:—Before the Lord Chancellor, causes, 119; and demurrers, 59; making a total of 213; while, before the Rolls there were, causes. 226; further directions, 41. When the House thought it necessary to establish a Vice Chancellor's Court, the arrears were 483, whereas at present the arrears were 885. He therefore maintained, by the act of the House on a preceeding occasion, it ought again to take some step for the relief of the suitors. The Hon. Gentleman then quoted largely from the Report of the Commissioners, and contended that that Report confirmed him in his view that another Judge was necessary for the due dispatch of the business. They all admitted the evile, but feared to look the remedy in the face. Mr. Parkd had said, that people allowed that such things were perfectly right, and very desirable, but they were impracticable. And to those persons Mr. Burke replied:—That which is not paricable is not desirable; nothing that is for on good but is within the reach of industry and well-directed perseverance. Nothing that God has made which is deisrable for us, but is to be attained. But if men cried to the moon, they must still cry on.—(*Hear.*)—That had been the reply of that illustrious man; the House had set its shoulders to the wheel, and his measnres for reforming the household and other matters were carried. He was sorry the Right Hon. Secretary for the Home Department should be absent when such a subject was under discussion.—(*Hear, hear Mr. Peel entered the House at this moment.*)—He was glad to see Right Hon. Friend in his pleace; but he should have been much better pleased if he had read the extracts from the evidence before the Commissioners.

Mr. Secretary PEEL.—I have read it.

Mr. TAYLOR.—He was glad his Right Honorable Friend had done so, for that being the case, he could not conceive how his motion could be resisted. He maintained that something must be done—all sides said something must be done, and what was the project hinted at by the other side? Why some causes were to be sent to the Court of Exchequer.—Such a course would be unconstitutional. A suitor had a right to set down his cause to be heard before the Chancellor if he pleased.—(*Hear.*)—He had offered his opinons, and was ready to give any explanation that might be required; although he submitted no plan of improvement, yet he had adopted the only course left open to him. He had stated facts, such as justified him in making the motion with which he should conclude. If it were thought necessary he would enter into a comparative statement of the arrears during the years 1826, and 1827, but he did not himself see that any advantage would be derived from such a course. Last year many Hon. Members had withdrawn from him their support on the ground that there was a new Ministry, and that the new Lord Chancellor ought to have a fair trial. But why were they not in their places then—(*Hear hear.*)—But should he be left alone he would do his duty. The year of grace required for the new Lord Chancellor had expired. It had been said in that House that if the state of Chancery was not different in one year's time, from what it then was, he should be supported.—(*Hear.*)—He demanded that support—(*Hear hear.*)—He found no fault with the Judge; he found fault with the Government. He maintained that the simplest method of affording relief would be to separate the Bankrupt cases from the Great Seal. But he was told that on them questions arose that the Lord Chancellor alone could decide. He could not understand how it was the fact, unless the mere possession of the Great Seal acted as a charm. Would any one have said that Lord Thurlow was more able than Lord Mansfield, or that Kenyon was not as fit to be trusted with that branch of the law as Lord Loughborough? If, for instance, Lord Eldon were made the Judge in bankrupt cases, would any one complain of his want of ability whatever they might think of his dispatch? He was convinced that the true difficulty was the patronage.—(*Hear.*)—The patronage was 6,000*l.* a year, all which was extorted from the pockets of the wretched.—(*Hear hear.*—Such a system ought not to exist, and should not if he continued to be blessed with health, strength, and opportunity to resist it. Why not make the Lord Chancellor a Judge of Appeals alone, and appoint a new Equity Judge to assist in the other business? The country would not complain of the expense if the frightful nuisance was abated. The present appeals to the House of Lords, were in reality to the Lord Chancellor. He sat there in judgment, with a snoring Bishop, and a Scotch Peer, who wished the causes at the devil.—(*Laughter.*)—And further he would admit of only one appeal; or that he should have his choice. Such then was an outline of his plain, and if there was any Hon. Member who could conscientiously say that he believed the Court of Chancery did not need reform, he alone would oppose the motion. On the ground of expediency no objection could be made, for the Resolution once adopted he would give Government full time to make up their minds as to what course they would pursue. Should his motion be rejected, he hoped that the time was not far distant when the country by petitions would demand an amendment in the present system. After some further general remarks, the Hon. Member concluded by moving:—That it appears to this House, both from the papers laid upon the table as well as from the evidence given before the Commissioners appointed under the authority of his Majesty, that not withstanding the establishment of the office of Vice-Chancellor in the year 1813, some further steps are still necessary to advance the interests of suitors in equity, by affording a more prompt decision on their claims, and to enable the Court effectually to discharge the other important duties connected with its jurisdiction.

The motion having been seconded.

Mr. H. Twiss said that the greatest defect of the present system was the great length of time between the setting down of a cause for hearing, and the actual hearing of the cause.—When both the parties were sincerely desirous of bringing their claims to a settlement, and used all possible diligence, about a year would be consumed in their making the necessary arrangements before their cause could be set down for hearing in the Judge's paper. But when that was once effected, the suitors were, upon every sound principle of justice and policy entitled to a speedy hearing. He would not go so far as to contend for the propriety of the celebrated ordinance of Cromwell, which declared that every cause should be heard the same day it was set down in the Judge's paper, but he did think that on an average, taking holidays and causes of delay into consideration, a longer time than two months should not expire between the entry and the hearing. But what was the case at present? Why there was a delay of two years. He spoke from calculations which he had made upon the official returns, and on the average the delay between the entry and the hearing was from eighteen months to two years. That was the first the overwhelming evil. If a cause were set down in the Judge's paper at the present time, it would be heard in 1829, and then it would be referred in all probability to the Master for further direction; and after, they were prepared, and they of course took some time, came another delay between the setting down and the hearing of 18 months or two years, which brought them down to 1832. The parties would again be referred to the Master, and by the time they left the Master's Office, they would have reached 1834. The cause was then set down for final decision; and when the parties were wearied and distressed, they were again subjected to a delay of about one year and three quarters. Let the House then pause, and see how much time was almost of necessity occupied in an ordinary suit. He did not take a complex case, but his calculations had reference to those of occurrence, and they were made upon this supposition, that the parties were desirous of obtaining the fair judgment of the Court as soon as practicable. Two years would in general be consumed by the parties before they could bring their case to maturity. That was, indeed, a long time, but it was a mere span to the aggregate of the three delays between the setting down and the hearing. The whole time occupied in the suit would be between six and seven years, two-thirds of which and upwards were absolutely thrown away, in spite of the fair intentions of the parties, the diligence of their solicitors, the activity of their counsel, and the exertions of the Judge; and that waste arose solely from the Court wanting the means of getting rid of the public business. Nor was that the only effect of the particular delay which he had pointed out. One delay begat another.—If one of the parties died in the progress of the cause, it suffered an abatement, and if was necessary to file a supplemental Bill in order to revive it. The last case which came before sir At. Hart, when he was Vice-chancellor, afforded a striking instance of the magnitude of what he considered as the greatest evil. The cause was one respecting a life-annuity. The annuitant was nearly ninety years of age, and in the progress of the dreary time required to bring it to a final decision, one of the parties died. The cause suffered an abatement, and the annuitant was left without any support whatever excepting what was granted him by the generosity of his friends. The cause was mentioned but before the year and a half of delay had elapsed, the annuitant himself died. He died a few weeks since, and the annuity had not been paid.—(*Hear.*) That arose purely out of want of the parties concerned in the cause itself. And the House would not fail to observe that the delad, to which he had already attributed so much evil, gave rise to a great increase in costs.—(*Hear.*) He knew it had been said that the delay in the Courts of common Law was sometimes three or four Terms, but not only was that no argument or principle in defence of the dealay in the Court Chancery, but the evil arising from it was of a trifling character when compared with the other. A cause at Common Law generally embraced only a single issue, and required only a single hearing; a cause in Equity generally embraced several issues, and required several hearings, and between each hearing there was delay. He therefore took the liberty to say, that the delay between the setting down of the cause and the hearing, was the great and most serrions evil of the present system.—(*Hear.*)—And those who attributep the lengthof timeoccupied by a suitin Chancery to delay the particular judges, knew nothing of the matter. The in Chancery was not a complaint of modern times. Even in the reign of Henry VIII. it had been considered a great evil, and was the cause of discontent and animadversion. Great as was the repution of Sir T. More, his biographer, Fuller, had given him in his quaint languages the praise for having, by immense labour, done away with the arrears in Chancery. It was in that spirit that that writter said that "Sir Thomas More was born in Milk-street so was the brightest star that ever shone in the *via Lacte*." But even the effect produced by sir T. More was only temporary. Lord Bacon, who possessed a mind so wonderfully qualified for the task, failed in his endeavour to prevent the Courts from again falling into arrear. His successor, Lord Chancellor Williams did, it was true overcome the difficulty, but to what means did he have recourse? Why, he was at Court two hours before day-light, and sat till eight or nine o'clock at night. such exertion as that could not of course be very long continued, and the Court once more fell into arrear. Cromwell felt the weight of the evil and hence the ordinance to which he (Mr. Twiss) had already alluded. That Cromwell saw the matter correctly there could be no question, but it was impossible to comply with his directions. The Commissioners remonstrated, and resigned. After the Restoration, Lord Guilford made extraordinary exertions, and with considerable success; but even his partial biographer, Roger North, could only say that "the remanets were few," adding that his great labour brought with it illness, so that "the reins of the Court became loose, the remanets increased, and it made the heart of Lord Guilford sick when he thought on the consequences of the delay. Nor was that all, for Roger North declares that the death of Lord Guilford was accelerated by his inability to renper the Court a equate to the duties it had to perform. Lord Somers also failed. Between Lord Somers and Lord Eldon, Lord Hardwicke was certainly the most able Chancellor, and what was the case with him? Why, he was unable to keep pace with the demands of suitors. Thus for nearly three centuries there had been an arrear of business continually increating until the delays in Chancery had become a bye word for contempt and mockery.—(*Hear hear.*)—It was in the immense pressure of business that the Chancellor found the difficulty; and for Hon. Gentlemen to attribute the delay to the slowness of the Judge, or the swelling of the business to the rashness of the Judge, was entirely erroneous. The four equity Judges would average upwards of sixty years of age each, and one of them it must be expected would be subject to illness, so that the services of three only could be calculated upon regularly. Great as had been the exertions of Sir T. More, and of the successor of Lord Bacon, and of the present Master of the Rolls, who, as Vice-Chancellor, had acquired so high and so well merited a reputation.—(*Hear, hear.*)—They had been succesful only for a time. The evil so returned upon the Court and the suitor with undiminished malignity. It was true that since the time of Sir E. Coke much assistance had been given by the appointment of a Vice-Chancellor. But then the occupation of the time of the Lord Chadcellor had increased in a far greater degree. Indeed so much was the business of the Lord Chancellor increased since Sir E. Coke declared another Judge necessary, that it was a complete fallacy to say that a Chancellor of the present day had not, notwithstanding the labours of the Vice-Chancellor, more to do that the Chancellors of former times. It was true that the bills filed during three years of Lord Hardwicke's Chancellorship were as numerous as those filed during three years of Lord Eldon's time; but then Lord Hardwicke had been unable to get through the business. Besides, it would be remembered that the causes were far more simple in former times than they were at present, and therefore were decided with less labour. Then again the amount of the property litigated had some effect; with the principle of decision it could not interfere, but it added to the feeling of responsibility, and induced a greater degree of caution. In 1710, Lord Hardwicke's time, the amount of the property in the hands of the Accountant General was 1,290,000*l.*; while, in 1820 it was 31,000 000*l.* Since that there had been no official statement, but the amount at present was generally supposed to be about 40,000,000*l.* If besides those considerations the House remembered the vast acumulation which had taken place in the equitable as well as in the legal liabilities of the country, it would see not only that the Hardwickes and the Camdens of preceding reigns had been strangers to the difficulties to be encountered by the Chancellor of the present day, but that they had also never foreseen them. He was convinced that the arrear was not attributable, to the Judges, but to the quantity of the business they had to get through. The Hon. Member passed a high eulogy on the present Lord Chancellor and maintained that they would have reduced the arrears had it been possible. They, however, were unable to overcome the difficulties and the situation was most painful. They were attacked out of doors for delay, and when in Court much of their time was occupied by suitors praying for priority. But not only did the present state of the Court of Chancery injure those who claimed its protection but it caused great injustice by defering many from seeking their just rights.—(*Hear.*)—It was true that by had doing, it prevented some litigation; but if it was desirable to prevent litigation by such means, why not at once, shut up the Court altogether?—(*Hear.*)—He was proud of the high reputation our Courts of Justice enjoyed, but he much feared that if some means were not adopted to give a more free access to suitors, and more rapid settlement of their claims, that the time would soon arrive when they would attract and merit censure rather than approbation.—(*Hear.*)—The framers of Magna Charta saw the subject in the true light. The same sentence which provided that the King should not deny justice, provided also that he should not delay it.—(*Hear.*)—Even in those days, when legislation was in its dawn in this country, the lawyers could see that there was to much similarity between *deferrum justicium* and *negare justicium* not to guard against both.—(*Hear. hear.*)—The question then came as to what was the best remedy, if remedy could be

found. His Hon. Friend (Mr. Taylor) had spoken of the separation of the bankruptcy business from the Great Seal. When that proposition was first suggested it was entitled to considerable weight, but since the appointment of a Vice-Chancellor the case had been altered. By a separation of the bankrupt causes from the Great Seal, the Lord Chancellor would receive very little relief. Some Court of Appeal there must be, and at present the Chancellor only heard the Appeals. If the House of Lords should be made the Court of Appeal, still the Lord Chancellor would receive no relief, while the dealy and expenses of the suitors would be greatly increased. His Honourable friend had thought the bankrupt business, might be separated from the Great Seal, constitutionally, because it was not attached to it by the unwritten law, but by statute: but he (Mr. Twiss) very much feared that such a statute as that was not to be respected, many of the best laws and the dearest priviledges England possessed might be endangered. The Honourable Member then took a view of the history of statute, and maintained that even if its removal would afford relief, it was not desirable. He thought a much better and much more simple remedy might be found for the disposal of the arrears. The machinery of the Equity part of the Court of Exchequer might be removed compleately into the Court of Chancery, and brought into full and actual service. It would, of course, then be necessary to appoint a new Judge in the Court of Exchequer, which might also be rendered a efficient common law Court. The Lord Chancellor would then be called on to hear Appeals only; and if the Master of the Rolls was to sit in the morning, there would be three efficient Equity Courts sitting at once, the Judges being the Master of the Rolls, the Vice Chancellor, and the Chief Baron. Each Court would have its own bar, justice would be done to suitors, and the hurry and confusion which were at present so troublesome would no longer exist With these alteration he thought the three Courts might get through all the business in Equity and Bankruptcy. He should be disposed to propose some modification of the present mode of working Commissions of Bankruptcy in the country. That branch of the business was much more imperfectly done than in the metropolis, and occasioned a greater access of business to the Court of Chancery, than would arise under a different system. The average number of Commissions for the lasten years was 719, and the average expense in each year, 35,000*l*.—By a change in the present mode of working these Commissions, a saving of about half might be effected. Out of this saving, he should propose to constitute an Equity Judge in Bankruptcy, from whom an appeal might be made to the Chancellor. Whatever course the House might judge it prudent to pursue, he hoped they would not sanction the principle of separating the legal from the political functions of the Chancellor. Even though the arrears might be thus kept down, there were insurmountable objections to such a plan. If the Chancellor were not to hear Appeals in the House of Lords, some other legal officer must be appointed for that purpose with the Office of Deputy Speaker. Would it beseem the most august Assembly in the nation to have a secondary individual discharging the high functions of Speaker? It would be most impolitic to shut out the Office of Chancellor, in all its present dignity legal and political, for the embition of the Bar. In every proposition fore hief he felt good will, but to this he should never consent. He could never sanction the dissolution of that union which gave importance, dignity, and value to the profession, of which he was a member.

The Attorney General said, the object of this Motion was, substantively, the constitution and appointment of a fourth judge in Equity. Five or six different modes had been proposed for effecting the species of relief sought for by his Hon. and Learned Friend who brought forward this motion—it was well known that the subject was now, and had been for some time under the consideration of Government. His Hon. and Learned Friend was not prepared to say how this fourth Judge was to be appointed, and they were now called upon without further enquiry to affirm an abstract resolution of this kind. He had no hesitation in delivering his opinion freely. The subject was not new to the House. Twelve years had elapsed since a third Judge was appointed in Equity, and it was then warmly contended that a third Judge was not necessary, and that the delays complained of were to be attributed to the Chancellor. Now, however, it was proposed to appoint a fourth Judge. He had no hesitation in admitting that some relief must be given to the Great Seal—(*Hear*)—but no feasible plan had been yet proposed. He was not prepared to say conscientiously that the appointment of a fourth Judge was the most eligible mode of affording that relief. As the Government and the Bar were at present applying their attention to this subject, why was the House now to be precipitated into a decision. They should first agree upon the necessity of the case before they determined on a remedy. If any Honourable Gentleman proposed a distinct plan, he should be ready to give it the most serious consideration. He thought expedients might be devised to prevent the accumulation of arrears, and that with the aid of such expedients three Judges would be quite sufficient to get through all the business in equity. The House, however, should first of all establish the preliminary question of necessity.

Mr. D. W. Harvey said, the Hon. and Learned Gentleman who spoke last, as well as the other Members of the Government, could not rescue themselves from the imputation of most serious blame for allowing abuses to continue so long without proposing any remedy, abuses, the existence of which they now fully admitted. The Honourable and Learned Gentleman spoke as if these abuses and grievances were, known in their infancy. But the Hon. and Learned Gentleman was himself a living memorial of the grievances of the Court in which he practised for so many years, and had largely thriven by their existence. The great obstacle to improvement must be attributed to the lawyers themselves. He did not mean to include in this censure the Member for Wootton Basset (Mr. H. Twiss) from whom they had that night heard so able a speech. He should be better pleased, however, if that speech came from an Honourable, and not a Learned Member, because then it could not be supposed that it proceeded from any view to possible advantage from the appointment of another Judge. It was a mistake to suppose that delay was the only grievance in the administration of their jurisprudence. The law ought to be simple, easily intelligible, its application easy, and cheap in price. Did their laws and the administration of them combine these advantages?. If they did, certain he was that there would be no occasion for the appointment of another Judge. The manner in which justice was administered in this country amounted, in effect, to a denial of it. Take a Chancery suit from the very commencement, and from that it was a conclusion it was a source of the most extravagant expenditure. These were the proceedings by which lawyers flourished, and suitors decayed.—(*Hear, hear*)—It would be very easy, if Government set themselves seriously to the work, to remove that reproach under which the country so long laboured, that law was a luxury within the reach only of the rich. He had had that day put into his hands a case which shewed the enormous expenses of an application to the Court of Chancery. It was a suit instituted to ascertain whether the original object of the Highgate Charity was consistent with the present application of the funds. The costs on one side were between 3000*l*. and 4000*l*.—(*Hear.*) The great source of these enormous expences were the lawyer's fees. What went into the solicitor's pocket did not bear a greater portion than 13*s*. 4*d*. to twenty guineas. An office copy of the information filed by the Attorney-General in this case cost 80*l*.—(*Hear.*)—This copy, in the shape of a brief, was handed over to the leading counsel with a fee of 88*l*. 6*s*. and the fee of the Second counsel was 66*l*. The whole of the expences exceed 3000*l*. Dispatch was certainly desirable but there were other improvements equally necessary. Had any attempt been hitherto made to supply the law? The Hon. and Learned Gentleman (the Attorney-General) called for some distinct and specific plan to remedy the inconveniences complained of. But why did not the Hon. and Learned Gentleman himself or his colleagues propose it? For what purpose had they a Government, if not to consult for the good of the country in this matter as well as every other? For his part he could see no necessity for having bankruptcy connected with the Great Seal, or for the expensive and useless apparatus of Commissioners. Merchants could do the business as well or better than Commissioners, except perhaps with respect to a few legal difficulties that may arise, and then it would be easy to refer to a lawyer. The office of Commissioner was taken only by young briefless Barristers with little hope of advancing in the profession, or by old ones, who having no other hope, were glad to have an income of four or five hundred a year in the decline of life. Was not bankruptcy, insolvency, and could it not be managed upon the same principles and at as moderate a charge as insolvency. The Honorable and Learned Gentleman concealed the real objection to the separation of bankruptcy from the Great Seal. The objection was that it formed a complete colony of dependency for the Chancellor. It would be better at once to divide among the claims the fifty millions now in the Court, and shut its doors for ever, than that it should go on in a way so ruinous to every person who had occasion to apply for justice.—(*Hear, hear!*)—They had for many years report after report attesting these abuses, and yet nothing was done, A code of orders had been lately issued, three or four of which appeared to possess some merit; but taken as a whole, one would be disposed to conclude that it was a mere stratagem to throw business into the hands of junior Barristers, for every order was connected with a motion, and every motion with a fee. The Court of Chancery, in the slowness of its proceeding, and the vast amount of the expense presented a spectacle enormously hideous—(*Hear, hear,*)—and the sooner some remedy was applied the better.

Mr. Sugden said, he heard with much surprise the Court of Equity spoken of as a public curse, but heard with still greater surprise Honourable Gentlemen who must have a large stake in the country cheering the observation.—(*Loud Cheering from the opposition.*)—If he thought such a description applied justly to the Court he would instantly quit it—(*Cheers.*)—The Court was not open to such imputations, and when such went forth to the public, it was impossible that they should not be productive of the most serious mischief. (*Hear, hear,*)—He understood the tendency of these cheers but he would repeat that it was impossible such descriptions should go abroad without producing the most serious mischief. It was of the greatest importance that the jurisdiction of the Court of Chancery should be held in respect. Those who found fault with it were rather fraudulent trustees and persons who wished to evade their engagements, than persons who honestly and fairly sought for relief.—(*Marks of disapprobation from some parts of the House.*)—It could not be supposed, that in the observation, he alluded to any Hon. Gentleman in that House. With respect to delay, the great source of complaint, it, was quite clear to any person who considered the subject, that the very nature of the Court prevented that dispatch of business which was desirable, and which might be had in a Court of Law. The great object of a Court of Equity was to decide at once, and for ever such matters as might come before it. For this purpose it was necessary that all parties concerned should be in Court at the same time, and this could not be done in many cases without considerable delay. If the Court of Chancery were put down, the consequence must be that frauds would remain unpunished, and accounts unsettled. From the returns laid upon the table, he should conclude that there was no occasion for the appointment of a fourth Judge in Equity. Here the Hon, and Learned Gentleman shewed from the Returns of the three last years, that the present number of Equity Judges were fully adequate to the business. Except under peculiar circumstances, any suitor might have his cause heard as soon as set down, Government was not to blame. It had been for a long time considering with anxiety, whether further assistance was necessary, and he should oppose the motion as only tending to throw impediments in the way of Government. He should be averse to the appointment of a fourth Judge. The consequence of it would be to increase the bar, and the patronage of Government, of which the House should entertain great jealousy. In this respect he might appear to be speaking against his own interests as a member of the profession, but for his part, he had never partaken of the patronage of Government, nor ever desired it, nor should ever seek for it except in a fair way. The case put by his Honourable and Learned Friend (Mr, Twiss), was no proof of delay, for he took a creditor's account, On such a case much delay was unavoidable for the purpose of ascertaining who the creditors were; but in many instances or rather in most, a decision might be had as speedily as in a court of law. He never could consent to separate bankruptcy from the Great Seal, The Honourable Gentleman considered Bankruptcy cases peculiarly within the jurisdiction of Chancery, The proceedings in Bankruptcy were replete with difficulty; and, he felt satisfied, that if cases in Bankruptcy were referred to any judgment below the authority of a Vice-Chancellor, the injury to property would be incalculable. There was a deal of litigation in Bankruptcy which should be suppressed, but how could it be done, No Gentleman at the Bar encouraged the mass of Petitions which came in cases of Bankruptcy, He knew that the Gentlemen at the Chancery Bar were as honourable and as high minded as any men could be. If this House should make a great change in the practice of the Chancery Law, the present generation of lawyers must profit by it. The change would materially effect property, A revolution in the established laws could never be for the benefit of the country,—He should oppose those schemes which he called revolutionary, and which would shake that happy system of laws under which the country had so long derived benefit,

Mr, Baring rose, as an unlearned person, to give an opinion on this subject, which had called forth so much eloquence from Learned Persons, Speaking from experience he might say they all knew the evils arising from the system of Chancery, A case in which a small claim was at issue went into Chancery; it was locked up thirty years, A sum of no less than 150,000*l*, was locked up until the question could be decided, and several aged persons who claimed large portions of the property were reduced to the necessity of craving charity, as the Hon, Member for Midhurst well knew, Having applied to his own Solicitor on the subject he was told the case had been so long in Chancery that the Chancellor could not decide it, The documents had multiplied, and it was not likely that a decision would ever be given, The parties entitled to the property were consulted, They were hopeless, The Hon, Member then said, why do you not take it out of the hands of the lawyers, they will never decide it? They said they were most anxious to do so, and they asked him if he would be the arbitrator, The Hon, Member did not like to decide upon 150,000*l*, himself, but said, If you will give me the Hon, Member for Midhurst (Mr, J, Smith), we will decide it, The matter was referred to them, and in two days they made their award,—(*Hear,*) They divided the 150,000*l*, among aged and other people in a state of suffering, They did not decide as learned persons, Lord Loughborough, and some other Judges might have decided with more law, but the money could not have been divided with more commercial equity, They decided upon principles of common sense and common honesty, Not long ago the Lord Chancellor decreed 50,000*l*, as the means of coming to a conclusion whether a person was of sane mind and capable of disposing of property, It was in vain to disguise the fact; The country was dissatisfied with the system of Chancery Law, He admitted that the practitioners in Chancery were honourable men, but his opinion was, that they might look in vain for reform to come from lawyers.

Mr. Secretary Peel said, he laboured under the disadvantage of not having had the least experience with respect to cases decided in the Court of Chancery; but in answer to the observations of an Honourable Member on the second Bench, he could say, that the charge of obstructing inquiry into the practice of the Court of Chancery did not apply to him. He never was disinclined to lend himself to reform in Chancery. The subject of reform in the courts of law had occupied his attention. He had selected Commissioners to inquire into the practice of the Chancery, with a view to the separation of the bankruptcy business from the equity business. Those Commissioners had been selected in the most impartial manner. He was told that he should not take lawyers for Commissioners, but how he was to investigate such a subject without lawyers he did not know. The other Commission was to inquire into the laws and practice relating to the transfer of real property. Those Commissions had been appointed with equal impartiality. He could not admit the unqualified censure which had been thrown on the Court of Chancery, and the Judges who presided in that Court. He should however leave it to the Members of an honourable Profession to justify that honourable Profession. In his efforts to investigate and reform the practice of the law, he had found the most active and honourable conduct in Gentlemen of the Bar; by whom he was assisted. The Right Honourable Gentleman found a disposition on their part to sacrifice their private interest for the public good. His Honourable Friend had not given the House any statement of what he intended to do.—His Hon. Friend had only said it was his intention to go deeper into the subject; and he shou d, therefore, wait for his Hon. Friend's specific proposition to be brought forward on a future day.—He recommended his Hon. Friend to withdraw his motion, and bring it on more regularly. The only proposition he had heard was an intention to separate the bankrupt jurisdiction from the Court of Chancery. The question was, whether there was an absolute necessity to alter the practice of the Court of Chancery in that respect. Enquiry had already taken place, and the Commissioners had made their Report. In consequence of the recommendations contained in the Report the Lord Chancellor had made 88 orders. The Government had done all they could to promote the object in view; but when the House considered what had been the situation of the Government during the last six months, they must admit, that it was almost impossible that the Government could have made any beneficial changes in the Court of Chancery. His Honourable Friend could not make out any cases against Government, if, under the embarrassing circumstances of the last three months, they had not made any alteration in the Chancery. There was undoubtedly in the Court of Chancery, and in the Court of King's Bench a great arrear of business. These Courts were overwhelmed with business, which it was said three human beings could not discharge.

Mr. Brougham.—Three Angels!

Mr. Secretary Peel said, three persons had certainly been considered insufficient to discharge the business. With respect to the intended changes, it was in contemplation to make the Court of Exchequer assist the Chancery in the disposal of Equity business. In the Exchequer the business was confined to a few Attornies or Clerks of the Court. It was in contemplation to admit the Attornies of all the Courts to practice in the Exchequer upon Equity business. If, by the addition of another Judge in the Court of Exchequer for Equity business only, the Court of Chancery could be assisted, and the arrear of causes wiped off, the change might be desirable, and the project would at least receive due consideration. The Right Hon. Gentleman was not unwilling to attend to a judicious reform, but he could not be governed by abstract propositions. He should meet with a direct negative the proposition of his Hon. Friend, and move the previous question. It would then be in the power of his Hon. Friend to withdraw his motion.

The question and amendment having been put.

Sir James Scarlett opposed the motion. He could not vote for the proposition of his Hon. Friend, because he agreed with his Right Hon. Friend, that it offered no specific object.—With respect to the Court of Chancery, Sir S. Romilly, who knew the practice of that Court, declared, when he brought the subject under consideration, that three Judges were not sufficient to meet the arrears of business. He (Sir J. Scarlett) was willing to wait for the improvement which he expected to be made in the practice of Chancery by the present Lord Chancellor. He did not know a man more disposed to promote reform in Chancery, than that Noble Person. His Right Honourable Friend had left the Bar to defend themselves against the charges made by the Member for Colchester.—He was one who thought the Bar of England required no defence. The honour and integrity of the Bar was known in that House, but it would happen that the Members of the Profession often found among that body some individual whose conduct was a disgrace to them. He could not deny that persons with loose morals, but great talents, found their way to the Bar; but to say the Bar of England was a mercenary profession was speaking the language of ignorance for the purpose of invective. The Hon. and Learned Gentleman supported the amendment.

Mr. Brougham said the country was under great obligation to his Hon. and Learned Friend for his able and steady exertions for the

(*Continued in the Third Sheet.*)

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(*Continued from the Second Sheet.*)

amendment of the Laws and especially the practice in the Courts of Equity. He could not vote for the proposition without violating his former opinion. He had always held that there was no inadequacy in the machinery of the Court of Chancery. He held that there were Judges enough, and Officers enough to do the business, if they would resort to reform. With regard to the second object of the enquiry, he had yet something to learn, and the public a great deal to expect. The mind of the public was busied upon the subject, and disappointment would chagrine them the more, as it would appear that the Government was not earnest in the projected improvements. The dead weight and the debt pressed heavily upon the consideration of the public, but the state of the laws occupied their more anxious attention. All men, mercantile, landed, and others were engaged in the improvement of the law; for in fact, as it now stood, no man knew whether he was a partner or a proprietor in mercantile transactions. Such were the fluctuations of the law—such the diversity of opinion amongst the Judges. The equitable jurisdiction of the law still remained—many parts of it were bad, many good; but certainly could not be relied upon them. At the present moment of time men rather lived under the fear of an abuse of law, than under their wholesome regulations; and if the Government did nothing to aid the honest purpose of inquiry—or rather, if they lent themselves to abuse, the world at large would say, that no efforts in this House could prove of any benefi to the public. It was objected to lawyers, that *quasi* lawyers they were unfit for the purpose of enquiry; he did not believe it. He thought there were able men in that profession, who might be trusted; men, who, without the refinements or mysteries of the law, would do justice. The increase of fees had nothing to do with the matter. Lawyers would have as much fees as they now had, whatever change might take place. Lawyers might be said to spend their time over the midnight oil, and other such matter; but whatever might be said about the constitution of Committees to investigate into abuses, he felt quite satisfied, if it was not too late, that justice would be done to the public. He would not speak of Judges, or certain other persons, as fit and proper persons to make enquiries into the abuses of the laws; he would not appeal to those who were considered as *judicious proximi*—the Commission already appointed was past prayer for improvement; but he hoped the next Commission, as to real property, and whether three or five he cared not (if appointed without bias), would do their duty. Men looked to facts, rather than phrases, and if the Commission, as to real property, was fairly appointed, he had no doubt the country would be satisfied. The *tertium multum* was well known, and the use of the terms would best convey his meaning. He looked to no distinct appointments as to the second Commission, and in whatever way it might be made, he by no means felt himself to blame.—He was well aware of the anxiety which prevailed upon the subject—he did not wonder at it; it interested the public, the legal profession, and the Government; and why should the wonder and the the anxiety be disputed? In every point of view the subject was highly important: he had merely thrown out his few remarks, and he would leave it to the wisdom of the House to decide what should be done for the benefit of the community who felt deep and paramount interest in the question.—*Cries of "Question, question."*

Mr. M. A. TAYLOR in reply said, that but for his perseverance little would have been done for the improvement of the Court of Chancery. His motion for Committees had effected some good however be found out that he had as yet not done enough and he would endeavour to do more. He objected not to men, but to measures and until some practically beneficial measures; were adopted he would unhesitatingly persevere in his efforts at improvement. He had no personal object to answer—the pulic voice strenously supported him, and until the end he was determined to persevere.

Strangers were then ordered to withdraw, when a division took place.

For the previous question.....91
For the motion.....42
Majority.....—49

The House then adjourned at half past one o'clock.

THE PITT CLUB.

Yesterday, at th City of London Tavern, was celebrated the Anniversary of the Birth of the late Right Hon. Wm. Pitt. About three hundred Noblemen and Gentleman, Members of the Pitt Club, dined together and so highly distinguished a company has perhaps never been assembled on a similar occasion. The festival commenced about seven o'clock, Lord Skelmersdale presided. Amongst those present were—

The Duke of Wellington, the Earl of Eldon Earl Bathurst, the Marques of Chandos, M. P., the Earl of Harewood, the Earl of Aberdeen, the Earl of Glasgow, Lord Kenyon, Lord Rolle, the Right Hon. Henry Goulborn, M. P., the Right Hon. J. C. Herries, M P., the Right Hon. Sir, George Henry Rose, M. P., the Right Hon, Sir, George Hill, Bart., M, P., the Hon. Lloyd Kenyon, the Hon. Edward Cust, M. P., the Hon. J. Townsend, M. P., Sir T. S. Gooch, Bart., M. P., Sir J. D. Astley, Bart., M. P., Sir G. H. Smythe, Bart., M. P, Thomas Lethbridge, Bart, M. P, Sir John Gibbons, Bart, Sir Thomas Hesketh, Bart, Sir R. M, Vaughan, M, P, Sir James Wimstom, Henry Bankes, Esq. M, P, J. Taylor, Esq., Alexander Fraser, Esq, John Stuart, Esq, Henry Stuart, Esq., Charles Kerr. Esq, M, Alderman Farebrother, Rev. Dr. Bulwer, William Grant, Esq., Wm. Higgins, Esq, General Peachey, M. P., G, H, Sumner, Thomas Greene, Esq., M. P. Quintin Dick, Esq. M, P. Thomas Wardeu, Esq, M, P, John Capel, Esq. M. P., George Moore, Esq, M, P., Charles, Ross, Esq. M. P. Hugh Dick, M, P., Colonel Conyars, Rev. C, Bucke, Admiral Sir E. Harvey, K, C, B, M., P, Col, Strutt, M, P., Capt. G. P. Rose M. P. John Innes Esq. General Scott, David Clark, Esq. Lieut-General Sir M, Nightingale, K. C. B. M. P, Colonel Wood, M. P. R, A, Dundas, Esq, M. P. Eneas Bakly, Esq. Henry Shank, Esq, John Fairlie, Esq, Wm. Sawbridge. Esq, John Dodson, Esq, D, C, L, W B, Dollonder Esq, Lieut. Colonel Tyrral, W, R. Cartwright, Esq, M. P, John Round, Esq. J. A. Houblon, Esq, R, S, Wells, Esq, U, Heathcots, Esq, Sir John Mortlock, Sir John Chetwode, Bart, Sir George Ducket. Bart, Sir Wm. Foulis, Bart., George Bankes, Esq, M, P, Henry Winchester, Esq, Major Wood, Rev. Henry Foulis, Rev. C, Tyrrell, Sir John Tyrrell, Bart, Sir Robert Gunning Bart, R, B, Cooper, Esq, M, P, W. Vaughan, Esq, Col, Vaughan, R, P, Glynn Esq.

A Military Band played at intervals during the entertainment, and the vocal department was sustained with the usual ability by Messrs Broadhurst, Charles Taylor, Hawes, Golden; Leete, and King, On the removal of the cloth, the Noble Chairman said, the first toast he had to propose was one which he was sure the Company would receive with peculiar pleasure. It was the health of the King. (Applause,)

"The King" was then drunk with three times three; and loud applause, The national song of "God save the King," followed, the company standing, and joining in chorus. The lines—

"Confound their politics
"Frustrate their knaves tricks."

were received with peculiar and marked approbation.

The Chairman—I now beg to give you, with three times three, the health of "The Duke of Clarence, and the other branches of the Royal Family"—drank accordingly. Glee, "Hail, Star of Brunswick."

The Chairman—It is now my duty to propose to you the toast which at this period is uniformly given at meetings such as the present. Before doing so, however, I shall beg permission to say a few words introductory of it, and I should certainly think right to apologise for doing so, were it not that an unbroken custom in this Club, has made it necessary that I should offer one or two remarks—indeed, I should otherwise deem any observation in recommending this toast quite superfluous. The period of two and twenty years which has elapsed since the death of Mr. Pitt has been one of the most eventful that the pen of history records; but to dwell upon the occurrences of that period, in addressing a company, every, one of whom must be as well acquainted with them as I am, would I should conceive, be extremely ill judged. It is well known to all of you, Gentlemen, that Mr. Pitt was called to the Councils of his King at a very early period of life, and that while maturing a plan for putting the finances of this country upon a footing that could not have failed ultimately to raise it to the highest pinnacle of greatness at home and abroad, a war broke out between England and France, It is not for me to detail to you the circumstances of that war. Mr. Pitt was then Prime Minister, and I need scarcely remind you that he had no trifling difficulties to contend with, and that he did contend against them with signal success. At the time he assumed the direction of his Majesty's Councils he found the army in a state of disorganization. I do not mean that disorganization which proceeds from any want of personal courage—for the bravery of British soldiers is what no man in his senses will be disposed to doubt; but, I say, that in all the arrangements which tend to render a national army formidable to the enemies of its country, he found it deplorably inefficient. With these difficulties he struggled, and finally, by his efforts, they were overcome, until at length the army coming into the hands of his late Royal Highness the Duke of York—(Great applause)—it was brought into a state fit to be commanded by the greatest Captain of the age—the Noble Duke who now sits near me.—(Continued applause.) Mr. Pitt had not the good fortune to live long enough to witness the effects of his own prodigious exertion; he died the victim of ill-health, brought on by the mortification he sustained at seeing the weak and faithless conduct of our Allies. He had not, I say, the good fortune to witness the results which ensued upon the wisdom of his councils; and the blow which the country sustained at his death, was followed up not long after, by the serious illness of his late most Gracious Majesty George III. Happilly the mantle of that Monarch fell upon his son the Prince Regent, and he, with a knowledge of human nature that was most striking, and with that true love of his country, of which there could not at any time, be the slightest doubt—(Applause)—with that acuteness of intellect, for which all who ever approached him must have strongly felt—chose Lord Liverpool for his Prime Minister, and intrusted a high command in his army to the Duke of Wellington. (Applause.) Under such auspices, it was impossible but that the affairs of the nation should prosper, and they did prosper accordingly. The fame and the successes of our army it was well known went on increasing. No one who remembers the Peninsular war, but also remembers how victorious were our arms in every general action, until their triumph was consummated in the field of Waterloo. (Great applause) You must feel, Gentlemen, that I have great difficulty and reluctance in touching upon these subjects in the presence of one who took so distinguished a part in the occurrences to which I allude; but he has so exalted himself, and it is his own act by which the eulogium which I am pronouncing are brought upon him, I do not step out of my way for the purpose, and it is therefore no fault of mine. I repeat, Gentlemen, that Mr. Pitt had not the good fortune to witness the glorious termination of that struggle, which, if he had not so well commenced, would not have terminated so speedily. But it may be allowed to us to hope, that where he now is he may be permitted to witness the effects of those principles which it was the business of his life to sustain and illustrate, and which it is the object of this Association to preserve, and to cherish, and to perpetuate, I do hope, that in his present state of existence, his disembodied spirit may be permitted to look upon passing events, and if so, it is impossible but that he must regard them with great satisfaction. I feel, gentlemen, that I should depart from the line which my duty prescribes were I to occupy any more of your attention with truths so obvious and so generally admitted, that it would be almost idle, under any circumstances, to attempt to enforce them—still more idle and impertinent would it be, under circumstances like the present, when the fact of your presence here amounts to the full admission of them and affords their best confirmation, I now propose to you "the Memory of the late Right hon. Wm. Pitt—thre times." three (Great applause.)

The next toast was, "The Navy and Army of the United Kingdom—three times three."

The Chairman then proposed "The house of Brunswick and may they never forget the principles which placed them upon the throne of these Realms," It was followed by the celebrated glee "The King and the Church," and it is impossible to describe the effect produced, The lines—

"Here's a health to England, the King, and
"the Church, May all plotting contrivers be
"left in the lurch,"

were welcomed with a tumult of applause which continued for some minutes.

The Chairman—The manner in which you received the last toast, convinces me that neither you, nor the House of Brunswick, will ever forget the principles which seated that Illustrious Family upon the Throne, and therefore I can easily anticipate with what degree of satisfaction you will receive the next toast, which it is my duty to propose to you, namely—"The Protestant Ascendancy."

The toast was drunk with rapturous approbation, which was, if possible, encreased, upon the Earl of Eldon exclaiming—"One cheer more." The intense and energetic manner of the venerable Earl drew forth the enthusiastic admiration of the whole of the company. Glee—"Hail smiling morn."

The Chairman—I must now crave your indulgence for a few minutes, while I propose to you the health of his Majesty's Ministers, At the last meeting of this Club, the Government of this country was entrusted to hands, of which the present company, I believe, not altogether approve—in whom, at least, they did not place implicit faith, On this subject I wish not to dilate much further, and I trust you will excuse me, when you recollect that the then head of that Administration was my early and private friend, and though my differences from him on political subjects were strong and decided, they certainly were not of a character to dissolve personal friendship, Under those circumstances, I think you will feel I am not called upon to enter into invidious comparisons, I shall therefore pass to more agreeable topics—the present constitution of the King's Government; a Government, I will say, possessing not only the confidence of this Club, but of the nation at large, How can it be otherwise, than that a very large majority of the inhabitants of this country should yield to it unbounded confidence composed as it is of the men whom I now see around me? When I see at its head the Noble Duke who led the armies of England victoriously over a great part of the Continent, where they met and overcame some of the most highly disciplined troops in the world, how can I doubt that they possess that confidence? And how can I for a moment doubt that that confidence is well bestowed, when I see on my right hand a member of that Government, a Noble Earl bred up in the school of Pitt, venerating his character and inheriting his principles; Again, can I doubt that confidence is well bestowed, when I know that there is also included within the present Cabinet such a man as the present Secretary of State for the Home Department—who, I am instructed to say, would have felt great pleasure in being here on the present occasion, had he not been unavoidably prevented—one who, young as he is, has performed many and great public services, and were they confined to the simplification and consolidation of the criminal law, he would have been eminently entitled to the gratitude of his country? Also my belief in the existence and excellent foundation of that confidence is increased, when I see at this table the Noble Earl, the Chancellor of the Duchy of Lancaster—when also, we have such a Chancellor of the Exchequer—one who when he was Minister for Ireland, conciliated that country as far as it was possible for any person to conciliate it, There is likewise the Master of the Mint, With such men, who can doubt its principle, or who is there can avoid hoping success, The Noble Duke now placed at its head, has by this time most probably discovered that peace and quiet are not synonimous terms, but I trust the time is not distant when by his aid, we shall enjoy not only peace abroad but quiet at home, and I sincerely trust that he will be enabled to apply the leisure which the pacific condition of Europe now permits, to that domestic pacification of which we are now so much in want,

The health of his Majesty's Ministers was then drunk, with long and reiterated cheering.

The Duke of Wellington—I beg leave, Gentlemen, on my own behalf, and that of my colleagues, to return you my most warm and grateful thanks for the manner in which our names have been received, and to assure you, Gentlemen, that it is our wish as it will be our duty, so to conduct ourselves as to merit your approbation. In contemplating the life of that great man whose character and fame it is the business of the day to commemorate, I cannot but observe, that his principles were the principles of the Constitution, and that the history of his life, when examined, proves to be nothing less than the application of those principles to the interest and benefit of the country, and that every act of that life tended to defend the Constitution and the world from the misery with which at that time it was threatened and assiled. Then, Gentlemen, with perfect sincerity I can assure you that it is my intention, and that of my Noble and Right Hon. Colleagues, to uphold those principles, and through, as we trust, their successful operation, to promote the security, prosperity, and happiness of the country. Times and circumstances may change but I trust at no time, and under no circumstauces, will his Majesty ever be in a situation where he may not not find men from whom be may select servants capable and willing to imitate that great man whose memory we are assembled to honour—(Loud applause) and though we be now placed in circumstances far different from those in which he stood, I hope that my Noble Colleagues and myself may venture to pursue the course that in similar circumstances he would have preferred, and to follow those principles of which he has set us so noble an example, and which I believe so essential to the welfare of the Throne and of the people, (Long and continued cheering.)

The Chairman said that the toast he had next to propose to them was one to which the speech they had just heard from the Noble Duke was an admirable preface; and, accordingly, in introducing it to their notice, he was saved the necessity of making a single observation. The toast was—"May the principles of Pitt always animate the Councils of Great Britain," The toast was drunk with loud and unanimous approbation, and followed by the song of "The Pilot that weather'd the Storm," which was sung with remarkable energy and feeling by Mr. Charles Taylor.

"The Memory of the late Duke of York" was drunk in reverential silence, the company standing,

The Noble Chairman said, that he had then a most pleasant duty to perform, It was to propose the health of a Noble Earl, to whom

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[illegible] members of the Pitt Club were under peculiar obligations,

The Nobleman to whom he alluded was one of the oldest Members of the Club, one of its most strenuous supporters, and had never failed to be present at its meetings, But when he said that the Pitt Club was under obligation to that Noble Lord, he ought also to have said that the country at large was under obligations to him for his general patriotic conduct, and more espicially for the truly noble and beneficial manner in which he had for a great many years discharged the important duties of the Court of Chancery,—[At the conclusion of this sentence the cheering was enthusiastic from all parts of the room, Most of the company rosè applauding and waving their handkerchiefs, and it was some time before the Noble Chairman could proceed]—From the acclamations with which the allusion had been received, for him to occupy any further time in remark, would only be to delay those a round him from the happiness of paying a delightful tribute to exalted virtues, rather than adding to their enjoyment, He should, therefore content himself with proposing—

"Health to the Earl of Eldon."

"Health to the Earl of Eldon" was re-echoed from every part of the room, and the toast was followed by long continued cheering.

Lord Eldon—I really, my Lords and Gentlemen, fell extremely embarrassed in attempting to give adequate expression to the feelings which have been excited in my breast by the very gracious manner in which you have been pleased to receive the mention of my name. I was an early Member of this Club, as long as life is spared to me I shall feel it my duty to attend its Meetings, Be assured that I will attend its Meetings on every occassion when I am not destitute of strength to do so. For twenty-two years have I been a Member and a constant attendant of your Meetings. I have been so far various reasons. First, I recollected the personal gratitude excited in my breast by the kindness of that great man, whose fame and principles it is our object to perpetuate. I attend these meetings not only because I thought it my duty as an individual, but because I thought it a duty imposed on me as a member of that great society on which Mr. Pitt had conferred such great and lasting benefits. I attended them also for another reason—I conceive that meetings of this kind are of great public benefit; for not only do they keep alive certain political principles, but they transmit the sentiments of the generation which is passing away to that which is rising into existence. They excite in young men a feeling of sympathy with their seniors, and impart to youth somewhat of the experience of age. Can any man whose heart beats with attachment to his country, attend a meeting such as this, without being conscious that generous and really patriotic sentiments find their best organ and depository in an Association such as the present? It is upon principles such as these that I solemnly declare my intention, so long as god gives me life and strength, never to be absent from your meetings. I humbly repeat, that whilst I have existence, you will never find me an absentee. Having now said all, and perhaps more than was sufficient, respecting myself, I will try to make a single observation or two respecting the illustrious individual whose memory we are assembled to honour. No man who ever existed had a more intimate acquaintance with his political sentiments than I had, I had a thorough acquaintance with his sentiments on every subject. And I should be wanting in truth, did I not assure you that one great difficulty which he always had to contend with was, to convince himself that he was bound in duty to put those restrictions upon civil liberty, by which alone that liberty could be saved, in the times when he lived. There was one great principle of the English Constitution which this nation had the good sense to submit to, but that was one which he had the utmost reluctance in proposing to Parliament, namely, the suspension of our liberties for a time, in order that we might keep them in existence for ever. I now speak to many individuals who are hardly old enough to remember of their own knowledge, the occurrences which took place in this country, and in Europe generally, from the year 1788 to 1796, And I consider it a great misfortune that they are not sufficiently remembered, It was during that period that he and the other friends of civil and religious liberty took upon themselves through evil report and through good report, the heavy responsibility of suspending, for a brief period, the fullness of freedom which this country enjoys, in order that the same might be preserved for ever. I take upon myself to say, that if the friends of civil and religious liberty had not during that period, restricted the licence and freedom of some parties, the company present would not have been able, as they are now to commemorate the birth of the great Statesman. (Cheers.) I know to what I subject myself by making that observation; but in spite of calumny, I will still do my duty to the public in the spirit of honest, unflinching independence. (Cheers. In doing it as we did, I perhaps need not assure the present company, at this time of day, that we were solely influenced by considerations of duty? and that had similar occasions arisen in after times, we should have fearlessly pursued a similar course. During that great struggles I professed myself, as I do now, to be merely the humble disciple of that great man; though in common with him and others of my superiors, I was exposed during the period of which I speak, to every species of abuse. But I trust that those civil and religious rights, which we were then instrumental in sustaining may flourish so long as this country exists. In the observations which I have now submitted to you you will perceive I have been merely applying myself to the past situation of the country. But to speak more immediately of its present situation, I would say that, never did any man more heartily or more cordially join than I do, in the expression of an earnest hope, that things are now settled upon a satisfactory bassis, that confidence and hope will be restored to every friend of the Constitution, that all will yet be right, and Great Britain become what she ought to be.

The Noble Earl here sat down amid loud cheers, which had accompanied the whole of his speech.

The Chairman then proposed the health of a distinguished member of the Club, the Duke of Wellington.—Drunk with three times three, with great applause.

The Duke of Wellington—In offering to you my warmest thanks for the highly gratifying manner in which you have been pleased to receive the toast just proposed by my Noble Friend, I assure you I have felt highly honoured by the favourable reception which has at all times awaited me in this Club; and I can follow up the promise of frequent attendance made by another Noble, Friend on my left, by saying that I shall have great pleasure in being present at your meetings as frequently as my other avocations will permit. I now beg leave to call your attention to a point on which I expect the fullest sympathy throughout the meeting. I allude to the obligations we are under to the Noble Lord who has so ably presided over the present entertainment—who has conducted himself in that chair with so much tallent, and who has evinced through a long political course unshaken attachment to the principles of Pitt. It now only remains for me to propose the health of our worthy President.

The health of Lord Skelmersdale was than drunk with three times three, and followed by great applause.

Lord Skelmersdale was unable to express the feelings of gratitude with which he was impressed, for the flattering manner in which his health had been proposed by his Noble Friend, and received by the company. His Noble friend had done him but justice in saying, that he had long been attached to the principles of the late Mr. Pitt. He had now been thirty three years in public life. At the outset he admired the principles of Mr. Pitt; he adopted them, and he had never yet dissented or flinched from them. In fact, for the want of a better phrase, he was an old Tory. (Loud cheering.) His father wat a Tory before him, and he held his principles as it were hereditarily. Let him however guard himself against being misunderstood when he used the expression old to Tory. He was not a primitive Tory, and he knew not that he could better explain himself than by having recourse to a definition given by a late Learned Gentleman who was some authority in such matters, The late Dr. Shipley on being asked what was a tory, replied that he was a moderate Whig of 1688—(Hear, hear,)—but on being asked what was a modern Whig, he answered that it was utterly impossible to say what Whigs were (A laugh, and hear,) But let him be a tory or a Whig, or whatever he might, he returned them his sincere thanks, and begged to propose to them as a toast—The health of the Earl of Harewood. (Cheers.)

The toast was drunk with three, and loud applause.

The Earl of Harewood returned his best tahnks for the honour conferred upon him. It was certainly the habit to allude to political matters, but he should avail himself of that privilege only in the spirit of good humour. At their last meeting he had remarked, that the then Administration was so formed, that he indeed must be fastidious who could not find wherewithal to be pleased. (A laugh.) They, however, whom he had the honour to address appeared to have been so fastidious as not to be able to find any satisfaction in the then exissing state of his Majesty's Ministers, and accordingly expressed themselves to that effect. (Applause.) But affairs had, happily, changed since their last meeting. The wish that they expressed, namely, that the principles of Mr Pitt, might soon again animate the councils of Great Britain, had been fulfilled, and most ardently did he hope that they would long continue to do so. (Cheers.) Into the conduct of the late Administration he would not enter; but he must say that in the changes which had become more than ever convinced of the great utility of the Pitt Clubs, and at no period could they ever look for the more honourable opportunity of effecting good than at the present moment.—(Hear, hear.) The Noble Duke at the head of the Ministry was placed in a situation of great difficulty, and it became every friend to the Constitution, to give his best assistance, however, humble it might be, (Cheers.) But great as the difficulties were by which the Noble Duke was surrounded, when he looked to the frankness of his character, to his unflinching firmness, to his great talents, and to this extraordinary powers of application, he did believe that he would as honourably exert himself in the Cabinet as he had before done in the field, and achieve a no less glorious triumph. Further than that general expression he had perhaps no right to go; he was not acquainted—he had no right to be acquainted—with what was going on in his Majesty's Councils but still he might be permitted to say, merely in his own opinion, that the moment the Noble Duke presented to the country a firmly united and stable Cabinet—(Great cheering)—that moment the most dangerous of his difficulties vanished, (Rewed cheering.) The country throughout would be with him, support he would have plenty, and when once the energies of the country were well directed, there could be on doubt as to the result. (Cheers.)

The next toast was, "The Duke of Athol and Pitt Club of Scotland.

The Earl of Glousgow returned thanks.—Mr. Pitt had rescued the country from the horrors of the French Revolution, and he had ever admired him as the most upright patriot and most virtuous man.—(Applause.)

The next toast was Lord Kenyon and the Pitt Club of Wales.

His Lordship, in returning thanks, said he had great pleasure in noticing the favourable mention of the Pitt Club of Wales, the more especially as the Principality sent into their body many distinguished Members—Anglesea, Combermere, and Picton.

The Chairman then proposed—"The Landed and Commercial Interests, and may they be for ever united."

The toast was drunk with great applause.

Lord Eldon said—"I was a lawyer, but I have ceased to be so.—(Hear, and a Laugh.) Still for all that I cannot but remember that possesion of twenty-two years leads a man, when he loudly desires it, to imagine he has a right, and the law does in facts give some colour to his pretension. But however that may be, I have for two and twenty years enjoyed the privilege of proposing to you an important toast, and, whether I have any right to continue the monopoly or not, until you command me to surrender it, no man shall take it from me. Language cannot expres the value I set upon it, and I now exercise it in proposing to you, with all my heart and soul—"Prosperity and Perpetuity to the Pitt Clubs."—(Cheers.)

The toast was drunk with three times three, and loud approbation.

The Noble Chairman, accompanied by the most distinguished persons present, then retired amidst the applauses of the company. The Duke of Wellington and the Earl of Eldon were again greeted which deafening cheers, and the company broke up afterhaving spent a very delightful evening.

GOING TO THE PLAY AGAIN—"NATIVE LAND' CHARACTER, OF ROSSINI—A HINT IN BEHALF OF LOVE AND THE SEX.

[FROM LEIGH HUNT'S COMPANION.]

With the exception of Oberon, we have not witnessed a theatrical performance till the other night for these six or seven years. Fortune took us another way; and when we had the opportunity, we did not dare to begin again, lest our old friends should beguile us. We mention the circumstance, partly to account for the notice we shall take of many things which appear to have gone by, and partly out of a communicativeness of temper, suitable to a companion. For the reader must never loose sight of our claims to that title. On ordinary occasions, he must remember that we are discussing morals or mince-pie with him; on political ones, reading the newspaper with him; and in the present instance we are sitting together in the pit, (the ancient seat of criticism,) seeing *who is who* to the play-bill, and hearing the delicious discord of the tuning of instruments,—the precursor of harmony. If our companion is an old gentleman, we take a pinch of his snuff, and lament the loss of Bannister and Mrs. Jordan. Tooth-ache and his nephew occupy also a portion of our remarks; and we cough with an air of authority. If he is a young gentleman, we speak of Vestris and Miss Foote; wonder whether little Goward will shew herself improving to-night; denounce the absurdity of somebody's boots, or his bad taste in beauty, and are loud in deprecating the fellows, who talk loudly behind us. Finally, if a lady, we bend with delight to hear the remarks she is making, "far above" criticism; and to see the finer ones in her eyes. We criticise the ladies in the boxes; and the more she admires them, the more we find herself the lovelier. May we add, that ladies in the pit, this cold weather, have still more attractions than usual; and that it is cruel to find ourselves sitting, as we did the other night, behind two of them; when we ought to have been in the middle, partaking of the genial influence of their cloaks, their comfortable sides, and their conversation? We were going to say, that we hope this is not too daring a remark for a companion?—but far be it from us to appologize for any thing so proper. Dont we all go to the theatre to keep up our love of nature and sociality?

It was delightful to see "the house" again, and to feel ourselves recommencing our old task. How pleasant looked the ceiling, the boxes, the pit, every thing! Our friends in the gallery were hardly noisy enough for a beginning; nor on the other hand could we find it in our hearts to be angry with two companions behind us, who were a little noisier than they ought to have been, and who entertained one another with alternate observations on the beauty of the songs, and the loss of a pair of gloves. All is pleasant in these recommencements of a former part of one's life; this new morning, as it were, re-begun with the lustre of chandeliers and a thousand youthful remembrances. Anon, the curtain rises, and we are presented with a view of the lighthouse of Genoa, equally delicious and unlike;—some gun-boats, returning from slavery, salute us with meek puffs of gunpowder, about as audible as pats on the cheek.—the most considerate cannon we ever met with;—then follow a crowd and a chorus, with embraces of redeemed captives, meeting their wives and children, at which we are new and uncritical enough to feel the tears come into our eyes; and finally, in comes Mr. "Atkins," with a thousand memories on his head,—husband that was of a pretty little singer some twenty years back, now gone, heaven knows where, like a blackbird. It seemed wrong in Atkins to be there, and his wife not with him. Yet we were glad to see him notwithstanding. We knew him the instant we heard him speak.

"Native Land," (a tale, by the bye, which looks like one of the captives, with an arm,) is worth going to see, for those who care little about plot or dialogue, provided there be good music. Part of the music is by Mr. Bishop, the rest from Rossini. It is seldom that any of Mr. Bishop's music is not worth hearing, and one or two of the airs are among Rossini's finest: There is *Di piacer* for instance; and we believe another, which we did not stay to hear. We fear it is a little out of the scientific pale to think Rossini a man of genius; but we confess, with all our preference for such writers as Mozart, with whom indeed he is not to be compared, we do hold that opinion of the lively Italian. There is genius of many kinds; and of kinds very remote from one another, even in rank. The greatest genius is so great a thing, that another may be infinitely less, and yet of the stock. Now Rossini, in music, is the genius of sheer animal spirits. It is species as inferior to that of Mozart, as the cleverness of a smart boy is to that of a man of sentiment; but it is genius nevertheless. It is rare, effective, and a part of the possessor's character;—we mean, that like all persons who really effect anything beyond the common, it belongs and is peculiar to him,—like the invisible genius that was supposed of old to wait upon individuals. This is what genius means: and Rossini undoubtedly has one. "He hath a devil." as Cowley's friend used to cry out when he read Virgil; and a merry devil it is, and graceful withal. It is a pity he has written so many common places, so many bars full of mere chatter; and overtures so full of cant and puffing. But this exuberance appears to be a constituent part of him. It is the hey-day in his blood; and perhaps we could no more have the good things without it, than some men of wit can talk well without a bottle of wine and in the midst of a great deal of nonsense. Now and then he gives us something worthy of the most popular names of his country, as in the instance abovementioned. *Di piacer* is full of smiling delight and anticipation, as the words imply. Sometimes he is not deficient even in tenderness, as in one or two airs in his *Othello*; but it is his liveliest operas, such as the *Barbiere Siviglia* and the *Italiano Algieri* that he shines. His mobs make some of the pleasantest riots conceivable; his more gentlemanly proceedings, as bows and compliments, are full of address and even elegance; and he is a prodigious hand at a piece of pleasantry. Not to see into his merit in these cases, surely implies only, that there is a want of animal spirits on the part of the observer.

As we are not so fond of sharp criticism, as when we were young and knew not what it was to feel it, we shall say a thing of one or two of the fair singers on this occasion, except that they did not appear to have a sufficient stock of the spirits we have been speaking of. The animal spirits, animal spirit alone can do justice. A burst of joy will be ill-represented by the sweetest singing in the world that is not joyous, and that does not burst forth like a shower of blossoms. Of Miss Goward's singing we can yet form no judgment, as she had a very bad cold; but she did her best with it, and did not apologise; which gave us a favourable opinion of her; and her acting increased it. If she does not turn out to be a very judicious person with a good deal of humour, she will disappoint us. Madame Vestris, though she does not insinuate a sufficient sock of sentiments through her gaieties to complete the proper idea of a charmer to our taste, is always charming after her fashion; but from what we recollect of her, we doubt whether her performance in this piece is one of her favourite ones. The song of "*Is't art, I pray, or nature?*" she gave with too little vivacity; and her part in the *bolero* she seemed to go through more as a duty than a pleasure—which is anything but *boleresque*. Mr. Wood has great sweetness of voice, with taste and sensibility; and the sweetness is manly. He was encored in the "romance"—*Deep in a dungeon*: but we preferred him in his first pleasing air, *Farewell, thou coast of glory*. We shall be glad to see him again, and to say more of him. We suspect he has more power than he yet puts forth.

There is no necessity to criticise the dialogue. The author himself probably regards it as being nothing more than one of our old unpretending acquaintances, yclept "vehicles for music;"—carriers of song, as Messrs. Clementi's are of piano-fortes. There is one scene however, upon which we shall say a word. It is that in which a maimed husband comes back from the wars, and is received by his wife with aversion and ridicule. It is true, the caricature is evident; it is the only way in which such feelings can be made ludicrous; but there is something in it from which the heart revolts. It is a dangerous point to divert ridicule from its proper objects, and give degrading representations of humanity. There is something too on these especial occasions, when the joke is carried far, (as was the case in violent double meanings in company,) by which privacy itself is turned into publicity, and we become painfully conscious of the presence of those, with whom we could best interchange the most pleasurable ideas. We profess to be anything but prudes; we have no objection for instance to Zerlina's being reconciled to "little fellows," whose ways are delightful;—but because we are not prudish, we become the more jealous in behalf of what may be called the humanities of licence.

We must own we could not help laughing at some passages of Miss Goward's acting in this scene; and perhaps we scan the matter somewhat too nicely. Those who laughed most would probably have been among the first to hug the remnant of their maimed friends to their heart. But the experiment is dangerous. There is not too much sentiment in society after all; and it is better not to risque what there is. With what relief did we not call to mind, in our graver moments, the sight we had once, in those boxes on the left hand, of a charming woman sitting next her gallant husband, Colonel C., who had returned from the wars with the frightful loss of his lower jaw. His wife married him after his return; and this we were told was she. He had his mouth and chin muffled up. But how did he not seem more than repaid in her sweet and loving presence, which we fancied that she pressed still closer to him than was visible in that of any other woman seated by her husband's side. When she looked in his face, we felt as if we could almost have been content to have lost the power of kissing with lips, that we might have received in all its beauty that kiss of the soul.